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Washington, Wednesday, February 27, 1952

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10329

AMENDING EXECUTIVE ORDER NO. 10318 OF JANUARY 3, 1952, RELATING TO THE MISSOURI BASIN SURVEY COMMISSION

WHEREAS the members of the Missouri Basin Survey Commission, provided for by Executive Order No. 10318 dated January 3, 1952, were appointed on February 9, 1952:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is ordered that section 6 of the said Executive Order No. 10318 of January 3, 1952, be, and it is hereby, amended to read as follows:

"SEC. 6. *Effective date of the establishment of the Commission; report to the President.* The Commission shall be deemed to be established as of February 9, 1952. Not later than one year after that date the Commission shall report to the President in writing the results of its studies and recommendations under section 2 hereof, including any recommendations with respect to necessary legislation. The Commission may also make to the President such earlier report or reports as it may deem appropriate."

HARRY S. TRUMAN

THE WHITE HOUSE,
February 25, 1952.

[F. R. Doc. 52-2291; Filed, Feb. 25, 1952; 4:40 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter A—Farm Housing Loans and Grants

[FHA Instruction 411.11]

PART 302—APPLICANTS

SUBPART A—CRITERIA FOR SELECTION

REVIEW OF APPLICATIONS INVOLVING DEBT SETTLEMENT ACTION

Section 302.4, Title 6, Code of Federal Regulations (16 F. R. 6713), is amended to add a new paragraph (e) setting forth conditions which must be met before making a loan to an applicant who has received or is likely to receive debt settlement benefits. The new paragraph (e) reads as follows:

§ 302.4 *Limitations.* * * *

(e) Before any Farm Housing loan is made to an applicant where debts have been settled pursuant to §§ 364.1 to 364.10 of this chapter as reflected by the County Office records, or where a settlement under such sections is contemplated, it must appear conclusively that (1) the applicant's failure to repay his loan indebtedness was the result of circumstances beyond his control, (2) the causes which necessitated the debt settlement, other than weather hazards, disasters, or price fluctuations, have been removed, and (3) the borrower's proposed operations will be sound and afford him a better than reasonable prospect of repaying the loan and meeting his other obligations. Detailed information together with a justification for making a loan in such a case must be submitted to the National Office for review prior to approval.

(Sec. 510, 63 Stat. 438; 42 U. S. C. 1480. Interprets or applies sec. 501, 63 Stat. 432; 42 U. S. C. 1471)

DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

FEBRUARY 3, 1952.

Approved: February 15, 1952.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-2217; Filed, Feb. 26, 1952; 8:46 a. m.]

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 CCC Olive Oil Bulletin, 722 (Olive Oil 1951)-1]

PART 643—OILSEEDS

SUBPART—1951 CROP OLIVE OIL PRICE SUPPORT PROGRAM

This bulletin states the requirements with respect to the 1951 Crop Olive Oil Price Support Program made available by the Secretary of Agriculture through

(Continued on p. 1707)

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

Commodity Credit Corporation (hereinafter referred to as "CCC") and the Production and Marketing Administration (hereinafter referred to as "PMA").

Sec.

AUTHORITY: §§ 643.655 to 643.679 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 4, 5, 62 Stat. 1070, as amended, 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup., 714b, 714c, 7 U. S. C. Sup., 1447, 1421.

§ 643.655 *Administration.* The program will be administered under the general direction and supervision of the President, CCC. In the field, the program will be carried out through State and county PMA committees (hereinafter referred to as State and county committees), and PMA commodity offices. Forms will be distributed through the offices of State and county committees. County committees will examine and approve purchase agreement and loan documents and determine the eligibility of producers and of olive oil under the program. The county committee may designate in writing one or more of its employees to perform such functions on behalf of the committee. The names of the employees delegated to approve documents on behalf of the county committee shall be submitted to the State committee. State and county committees and PMA Commodity offices do not have authority to modify or waive any of the provisions of §§ 643.655 to 643.679 or any amendments or supplements hereto.

§ 643.656 *Availability of price support*—(a) *Methods of price support.* Price support will be available to olive producers through purchase agreements and non-recourse loans on olive oil stored in approved farm storage or stored in approved warehouses.

(b) *Area.* This program will be available in the States of California and Arizona.

(c) *When to apply.* Purchase agreements and loan documents covering olive oil will be accepted by the county committee through April 30, 1952.

(d) *Where to apply.* Application for price support should be made through the office of the county committee which keeps the farm program records for the farm.

§ 643.657 *Eligible producer.* (a) An eligible producer shall be an individual, partnership, corporation, estate, or other legal entity producing oil olives of the 1951 crop as landowner, landlord, tenant or sharecropper. The beneficial interest in the oil olives and the resultant olive oil must be in the producer tendering olive oil for loan, or purchase under a purchase agreement, and must have always been in him or in him and a former producer whom he succeeded either as landowner, landlord, tenant or sharecropper before the olives were harvested. Any group of eligible producers may designate in writing in the form or forms prescribed by CCC, an agent to act in their behalf jointly in obtaining price support under this program. A copy of each designation of agent signed by one or more producers and indicating the maximum quantity of olive oil on which each producer wishes price support, must be delivered to the county committee before any purchase agreement or loan documents on behalf of the group are approved by the county committee:

(b) Any cooperative association which normally handles the oil olives of its producer-members shall also be considered an eligible producer with respect to eligible olive oil processed by it from 1951 crop olives delivered to it by California or Arizona producers: *Provided*, That:

(1) The beneficial interest in all olive oil processed by the cooperative from oil olives delivered to it by its producer members is and always has been in such producer members or in such producer members and former producers whom such producer members succeeded either as landowner, landlord, tenant or sharecropper, before such olives were harvested;

(2) The major part of the olive oil marketed by the cooperative is produced from oil olives delivered by members who are eligible producers;

(3) The members share proportionately in the proceeds from marketings according to the quantity of oil olives each delivers to the cooperative;

(4) The association has the legal right to pledge or mortgage the olive oil as security for a loan as well as the authority to sell such olive oil under purchase agreement.

(c) The following special conditions of price support shall apply to cooperative associations of producers:

(1) The cooperative must maintain a record of the total quantity of olive oil processed by it from oil olives obtained from all sources and a separate record of the quantity of eligible olive oil processed from oil olives delivered to the cooperative by eligible producer members. The books of such associations shall be made available to CCC for inspection at all reasonable times.

(2) The cooperative shall keep in approved storage at all times a quantity of eligible olive oil which is not less than the unredeemed quantity of olive oil under loan.

(3) The total quantity of eligible olive oil placed under loan and delivered under purchase agreements shall not exceed the quantity of eligible olive oil shown on the books of the cooperative as having been processed from oil olives delivered to it by its eligible producer members.

§ 643.658 *Eligible olive oil.* All olive oil placed under a farm storage loan must be drummed at the time the oil is placed under loan. Olive oil delivered to CCC in liquidation of a farm storage loan or under a purchase agreement must be drummed at the time of delivery. Olive oil delivered to CCC by an approved warehouse must be in drums when delivered.

(a) *Grades.* Olive oil eligible for loan or delivery under purchase agreement must have been processed from 1951 crop olives produced in California or Arizona, must be virgin olive oil and meet the requirements for "U. S. GRADE A" as defined in the "U. S. Standards for Grades of Olive Oil," issued by the Department of Agriculture, effective March 22, 1948 (13 F. R. 763).

(b) *Approved type drums.* Approved type drums are new, 50 to 55 gallon capacity, 18 guage steel drums suitable for vegetable oils, fabricated with side or top bung holes, and two rolling hoops.

(c) *Filling and sealing drums.* All drums must be completely filled with olive oil and sealed air tight.

§ 643.659 *Disbursement of loans.* Disbursement of loans will be made to producers by PMA state offices by means of sight drafts drawn on CCC, or by approved lending agencies under agreement with CCC. Disbursement shall not be made by lending agencies later than 15 days after the final date of the availability of loans, unless approved by the President CCC. The producer shall not present the loan documents for disbursement unless the commodity is in existence and in good condition. If the commodity is not in existence and in good condition at the time of disbursement, the proceeds shall be promptly refunded by the producer.

§ 643.660 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity with which CCC has entered into a Lending Agency Agreement (Form PMA 97, or other form prescribed by CCC) or a loan servicing agreement.

§ 643.661 *Approved storage.* Loans will be made on olive oil in approved storage. Purchase agreements will be accepted without any requirements for approved storage. However, warehouse receipts will be purchased under purchase agreements only if such receipts cover olive oil in approved warehouses.

(a) *Farm storage.* Approved farm storage shall consist of storage structures located on or off the farm which are determined by the county committee to be so located and of such substantial and permanent construction as to afford safe storage of the commodity.

(b) *Approved warehouses.* Approved warehouses shall consist of storage facilities made available by olive oil mills and others, including cooperative associations, having adequate facilities for handling and storing olive oil, for which an olive oil storage agreement for the 1951 crop has been entered into with CCC through the PMA commodity office. The names of owners or operators of approved warehouses may be obtained from the PMA commodity office and from State and county offices.

Approved warehousemen may store eligible olive oil placed under loan or delivered under purchase agreement on either (1) a commingled basis, in which case the warehouseman shall issue an approved form of warehouse receipt in which he guarantees to deliver olive oil of the same grade and quantity described in the receipt or (2) an identity-preserved basis, in which case the warehouseman shall issue an approved form of warehouse receipt in which he agrees to deliver the identical oil described in the receipt but does not guarantee the grade and quantity of the oil.

§ 643.662 *Sampling and chemical analysis of olive oil.* The Processed Products Standardization and Inspection Division of the Fruit and Vegetable Branch, PMA, shall make all chemical analyses and issue all chemical analysis certificates for olive oil required under this program. Samples of olive oil for chemical analysis shall be drawn by employees of the Department of Agriculture in accordance with instructions issued by the Processed Products Standardization and Inspection Division.

Chemical analysis of olive oil shall be made before a farm storage loan or an identity-preserved warehouse loan is approved by the county committee. A chemical analysis certificate shall be furnished the county committee at the time of delivery to CCC of olive oil under a farm storage loan, an identity preserved warehouse loan, or under a purchase agreement. When CCC acquires approved warehouse receipts representing olive oil stored on a commingled basis, a chemical analysis shall be made of the olive oil delivered by the warehouseman upon surrender of such warehouse receipts.

Sampling and chemical analysis fees shall be paid by the producer, except that fees for sampling and analysis of olive oil when delivered to CCC under a farm storage loan or on an identity preserved warehouse storage loan, shall be paid by CCC.

§ 643.663 *Maturity date of loans and period of notification to sell under purchase agreement.* (a) Loans mature on demand but not later than December 31, 1952.

(b) Producers intending to sell olive oil to CCC under purchase agreement must notify the county committee of their intention during the 30-day period ending on December 31, 1952, or on such earlier date as may be prescribed by the President, CCC.

§ 643.664 *Applicable forms.* The approved forms consist of the purchase agreement and loan forms and other forms specified in §§ 643.655 to 643.679, which together with the provisions of §§ 643.655 to 643.679, and any supplements and amendments hereto, govern the rights and responsibilities of the producer. Notes and chattel mortgages, note and loan agreements, and purchase agreements must be dated and delivered to the county committee on or before April 30, 1952. Notes and chattel mortgages, and note and loan agreements must have State and documentary revenue stamps affixed thereto where required by law. Loan and purchase agreement documents executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

(a) *Farm-storage-loans.* Approved forms shall consist of producer's notes (Commodity Loan Form A), secured by a chattel mortgage (Commodity Loan Form AA), and such other forms and documents as may be required by CCC.

(b) *Warehouse-storage loans.* Approved forms shall consist of the Note and Loan Agreement (Commodity Loan Form B), secured by approved warehouse receipts and such other forms and documents as may be required by CCC. Any olive oil pledged as security for a loan on a single note and loan agreement must be stored in the same warehouse.

(c) *Purchase agreement documents.* The purchase agreement forms shall consist of the Purchase Agreement (Commodity Purchase Form 1) and Purchase Agreement Settlement (Commodity Purchase Form 4) signed by the producer and approved by the county committee, the Delivery Instructions (Commodity Purchase Form 3) issued by the county committee, approved warehouse receipts, and such other forms and documents as may be required by CCC.

(d) *Other forms.* Chemical analysis certificates, producer's certification of eligibility of olive oil, producers group designation of agent, and such other forms as may be prescribed by the President, CCC, shall be considered as part of the purchase agreement or loan documents.

(e) *Producer's certification of eligibility of olive oil.* Before a loan is made on olive oil or before delivery of olive oil under a purchase agreement can be accepted by the county committee, the producer must sign a statement in substantially the following form:

I (we) hereby certify as follows:

(1) That the _____ gallons of oil located in _____
(Warehouse or farm identifications)
at _____ which I (we)
(Address)
am (are) pledging or mortgaging to CCC as collateral for loan, or am (are) tendering for delivery to CCC under purchase agreement, was processed for my (our account by _____ to whom I (we) delivered
(Name of plant)
for toll processing 1951 crop olives produced by me (us);

(2) That such quantity of olive oil is not in excess of the quantity of oil processed from oil olives produced on my (our) farm or that which the processor determined would be extracted from such olives on the basis of their oil content; and

(3) That the beneficial interest in such olives and in the resultant olive oil above described is and always has been in me (us) or in me (us) and a former producer whom I (we) succeeded as landowner, landlord, tenant or sharecropper, before such olives were harvested.

_____
(Signature of producer)

_____
(Date)

(f) *Cooperative's certification of eligibility of olive oil.* Before a loan is made or delivery of olive oil under a purchase agreement can be accepted by the county committee, the manager or the official empowered to sign contracts for or on behalf of a cooperative association must sign a statement in substantially the following form:

I hereby certify as follows:

(1) That the ___ gallons of olive oil located in _____ at _____
(Warehouse) (Address)
which is being pledged or mortgaged to CCC as collateral for loan (is being tendered for delivery to CCC under purchase agreement) was processed at the cooperative's mill from 1951 crop oil olives produced in California or Arizona and delivered to the cooperative by the producers of such olives;

(2) That such quantity of olive oil is not in excess of the quantity of olive oil processed from 1951 crop oil olives produced on the farms of the eligible producer members of the cooperative and delivered to the cooperative by such producer members;

(3) That the beneficial interest in all olive oil processed by the cooperative from 1951 crop oil olives delivered to it by its producer

members is and always has been in such producer members or in such producer members and former producers whom such producer members succeeded, either as landowner, landlord, tenant, or sharecropper, before such olives were harvested.

(Name of cooperative)
By ---
Title: ---

(Date)

(g) *Designation of agent by a group of producers.* Producers who designate an agent to act in their behalf jointly in obtaining price support shall execute Form CCC Olive Oil 1[1] for loans or Form CCC Olive Oil 1–A[1] for purchase agreements. A copy of each designation of agent must be delivered to the county committee before any purchase agreement or loan documents on behalf of the group are approved by the county committee.

(h) *Warehouse receipts.* Warehouse receipts, representing olive oil in approved warehouse-storage to be placed under loan or delivered under a purchase agreement, must meet the following requirements:

(1) Warehouse receipts must be issued in the name of the producer, or cooperative marketing association, must be properly endorsed in blank so as to vest title in the holder, and must be issued by a warehouse approved by CCC under CCC Form 43, "Olive Oil Storage Agreement." The receipts must be negotiable and must cover eligible olive oil actually in store in the warehouse described in the receipts.

(2) In order to be acceptable for a loan or for delivery under a purchase agreement, each warehouse receipt representing olive oil stored on a commingled basis, must contain a statement that the oil is insured in accordance with CCC Form 43 "Olive Oil Storage Agreement," and if such insurance was not effective as of the date of deposit of the olive oil in the warehouse, the warehouseman must certify as to the effective date of the insurance and that the oil is in the warehouse and undamaged.

(3) Each warehouse receipt, in the case of commingled olive oil, must show the quantity and grade of the oil.

(4) In the case of identity-preserved oil, the warehouse receipt shall sufficiently describe the oil so that it may be readily identified at all times, and the producer must execute the supplemental certificate prescribed in paragraph (i) of this section.

(5) Warehouse receipts must specify that the oil will be delivered in approved type drums and carry an endorsement in substantially the following form: "Warehouse charges through December 31, 1952, and all charges for drumming, including cost of drums, on the olive oil represented by this warehouse receipt have been paid or otherwise provided for, and the warehouseman has no lien upon such olive oil for any such charges."

(6) Warehouse receipts must contain such other terms and conditions as are required under CCC Form 43, "Olive Oil Storage Agreement."

[1] Filed as part of the original document.

(i) *Olive oil supplemental certificate.* Each warehouse receipt covering olive oil under loan stored in an approved warehouse on an identity preserved basis, must be accompanied by a supplemental certificate, executed by the producer, and properly identified with the warehouse receipt.

The supplemental certificate shall state the producer's responsibility with respect to the olive oil in accordance with § 643.672.

§ 643.665 *Determination of quantity.* (a) The quantity of olive oil under a farm storage loan or delivered under a purchase agreement shall be determined on the basis of net gallons of 7.61 pounds per gallon.

(b) All determinations of the quantity of olive oil represented by warehouse receipts issued by approved warehouses which are pledged to secure a loan or delivered under purchase agreement shall be made on the basis of the guaranteed net gallons of 7.61 pounds per gallon specified on the warehouse receipt.

§ 643.666 *Liens.* If there are any liens or encumbrances on the olive oil proper waivers must be obtained.

§ 643.667 *Service charges.* Service charges shall be paid by the producer on the quantity placed under loan or specified in the purchase agreement, computed at the following rates:

	Rate per gallon	Minimum charge
	Cent	
Farm storage loans	1	$3.00
Warehouse loans	½	1.50
Purchase agreement	½	1.50

No service charges will be refunded.

§ 643.668 *Set-offs.* If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the purchase or loan to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service charges and amounts due prior lienholders. However, prepayment of only one principal installment on a farm storage facility loan shall be deducted from the price support proceeds of any one crop year. If the producer is indebted to any other agency of the United States, and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or legal action.

§ 643.669 *Interest rate.* Loans shall bear interest at the rate of 3 percent per annum and interest shall accrue from the date of disbursement of the loan, notwithstanding the printed provisions of the note.

§ 643.670 *Transfer of producer's interest*—(a) *Loans.* The right of the producer to transfer either his right to redeem the olive oil under loan or his remaining interest may be restricted by CCC.

(b) *Purchase agreements.* The producer may not assign his interest in the purchase agreement.

§ 643.671 *Insurance.* CCC will not require the producer to insure the olive oil placed under a farm storage loan or an identity preserved warehouse loan; however, if the olive oil is insured and an indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest, after first satisfying the producer's equity in the olive oil involved in the loss. Olive oil tendered for loan or delivered under purchase agreement, which is stored in an approved warehouse on a commingled basis, must be insured in accordance with § 643.664 (h). If insurance is obtained by the producer on identity preserved olive oil under loan, it must be assigned to the warehouseman, with the consent of the insurance company, before a loan will be made and the warehouseman must also certify that the insurance has been assigned to him.

§ 643.672 *Loss or damage to olive oil.* The producer is responsible for any loss in quantity or quality of the olive oil placed under farm-storage loan or identity preserved warehouse loan except that, subject to the provisions of § 643.671, physical loss or damage occurring after disbursement of the loan funds to the producer without fault, negligence, or conversion on the part of the producer, warehouseman, or any other person having control of the storage structure, resulting solely from an external cause will be assumed by CCC to the extent of the settlement value, provided the producer or warehouseman has given the county committee immediate notice of such loss or damage and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan. No physical loss or damage occurring prior to disbursement of the loan funds to the producer will be assumed by CCC. Where disbursement of funds is made by sight draft or check the date of the draft or check shall constitute the date of disbursement of the funds.

§ 643.673 *Personal liability of the producer.* The making of any fraudulent representation by the producer in the loan documents, or in obtaining the loan, or the conversion or unlawful disposition of any portion of the commodity by him will render the producer subject to criminal prosecution under the Federal law and personally liable for the amount of the loan (including interest) and for any resulting expense incurred by any holder of the note.

§ 643.674 *Release of the olive oil under loan.* A producer may at any time obtain release of the olive oil remaining under loan by paying to the holder of

the note, or note and loan agreement, the principal amount thereof, plus charges and accrued interest. If the note is held by an out-of-town lending agency or by CCC, the producer may request that the note be forwarded to a local lending agency or to a county committee for collection. All charges in connection with the collection of the note shall be paid by the producer. Upon notice from the PMA commodity office or upon presentation of the paid note, the county committee shall arrange for the release of the chattel mortgage. Partial release of the commodity prior to maturity may be arranged with the county committee by paying to the holder of the note the amount of the loan, plus charges and accrued interest, represented by the quantity of the olive oil to be released. In the case of warehouse-storage loans, such partial release must cover all of the olive oil under one warehouse receipt.

§ 643.675 *Liquidation of loans and delivery under purchase agreements*—(a) *Farm storage loans.* In the case of farm-storage loans, the producer is required to pay off his loan on or before maturity or to deliver the olive oil in accordance with instructions of the county committee. The producer may, however, pay off his loan and redeem his olive oil at any time prior to delivery to CCC or removal by CCC. In the event the farm is sold or there is a change of tenancy, the olive oil under a farm-storage loan may be delivered before the maturity date of the loan, upon prior approval by the county committee, or may be delivered before the maturity date of the loan for other reasons upon prior approval of the President of CCC. Settlement will be made at the applicable support price, subject to the provisions of the mortgage supplement, according to the quality, as shown by chemical analysis certificates, and the quantity of the olive oil delivered. The producer shall pay CCC for any deficiency in quantity or quality. Settlement value for olive oil delivered which does not meet the eligibility requirements with respect to grade shall be determined at the support price for the grade placed under loan, less the difference, if any at the time of delivery, between the market price for the grade placed under loan and the market price of the olive oil delivered as determined by CCC. Settlement will be made for the total quantity delivered in drums provided all drums were included in the lot placed under loan.

(b) *Warehouse storage loans.* (1) In the case of all warehouse-storage loans, if the producer does not repay his loan by maturity, CCC shall have the right to sell or pool the commodity in satisfaction of the loan in accordance with the provisions of the note and loan agreement. Any payment due a producer at the time of settlement on a warehouse-storage loan, will be made by the appropriate PMA commodity office.

(2) In the case of loans on olive oil stored in approved warehouses on an identity-preserved basis, settlement will be made at the applicable support price, subject to the provisions of the note and loan agreement, according to the quality, as shown by chemical analysis certificates, and the quantity of the olive oil delivered by the warehouseman. The producer shall pay CCC for any deficiency in quantity or quality. Settlement value for olive oil delivered which does not meet the eligibility requirements with respect to grade shall be determined at the support price for the grade placed under loan, less the difference if any at the time of delivery, between the market price for the quality placed under loan and the market price of the olive oil delivered as determined by CCC.

(3) In the case of loans on olive oil stored in approved warehouses on a commingled basis, settlement will be made with the producer at the applicable support price, subject to the provisions of the note and loan agreement, according to the quality and quantity of the olive oil as specified in the approved warehouse receipts.

(c) *Handling small amounts on settlement.* If the settlement value of the olive oil delivered under a farm storage loan, or an identity preserved warehouse loan, exceeds the amount due on the loan (excluding interest) by more than $3.00, such amount will be paid to the producer on the basis of the settlement documents. To avoid administrative costs of making small payments, if the amount found due the producer in such settlement is $3.00 or less, such amount will be paid only upon his request. Any payments due producers will be made by sight draft drawn on CCC by the PMA State office. If the settlement value of the olive oil is less than the amount due on the loan (excluding interest), the amount of the deficiency, plus interest, shall be paid to CCC or may be set off against any payment which would otherwise be due to the producer under any agricultural programs administered by the Secretary of Agriculture or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. To avoid administrative costs of handling small accounts a deficiency of $3.00 or less including interest, may be disregarded unless demand therefor is made by CCC upon the producer.

(d) *Purchase agreements.* The producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to sell any quantity of the olive oil to CCC. However, the quantity stated in the purchase agreement will be the maximum quantity he may sell to CCC. If the producer who signs a purchase agreement wishes to sell the commodity to CCC, he will have a 30-day period during which he must notify the county committee of his intention to sell. Such period shall end on December 31, 1952 or such earlier date as prescribed by the President, CCC.

In the case of eligible olive oil stored in an approved warehouse, the producer must, not later than the day following the final date of such 30-day period, submit to the county committee, warehouse receipts for the quantity of olive oil he elects to sell to CCC, but not in excess of the quantity shown on Commodity Purchase Form 1. In the case of eligible olive oil stored in other than approved warehouse storage, the county committee will, on or after the final date of such 30-day period, issue delivery instructions to the producer. The producer must then complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions, unless the county committee determines that more time is needed for delivery.

The olive oil delivered under a purchase agreement will be purchased at the applicable support rate. When delivery is completed, payment will be made by sight draft drawn on CCC by the State PMA office on the basis of Commodity Purchase Form 4. The producer shall direct on such form to whom payment of the purchase price shall be made.

All olive oil delivered under purchase agreements, except olive oil stored in approved warehouses on a commingled basis, will be purchased in approved drums on the basis of the quality, as shown by chemical analysis certificates, and the quantity determined at the time of delivery. Approved warehouse receipts representing olive oil stored on a commingled basis will be purchased on the basis of quantity and quality shown on the warehouse receipts.

(e) *Removal of olive oil under loan.* If the loan is not satisfied upon maturity by payment or delivery, the holder of the note may remove the olive oil and sell it either by separate contract or after pooling it with other lots of olive oil similarly held. If the olive oil is pooled, the producer has no right of redemption after the date the pool is established, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat the pooled olive oil as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of olive oil even though part or all of such pooled olive oil is disposed of under such policies at prices less than the current domestic price for olive oil. Any sum due the producer as a result of the sale of the olive oil or of the insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 643.676 *Purchase of notes.* CCC will purchase from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus an amount computed according to the lending agency agreement to cover interest. Lending agencies are required to submit Commodity Credit Corporation Form 500 or such other form as CCC may prescribe for all payments received on producers' notes held by them and are required to remit to CCC a part of the interest collected, computed according to the lending agency agreement. Lending agencies shall submit notes and reports to the PMA commodity office serving the area.

§ 643.677 *Storing and handling charges.* CCC will not pay or assume any sampling, insurance, storage charges, testing or analysis charges, costs of drums, or other handling or processing charges necessary for the olive oil to meet the eligibility requirements. Storage charges accruing after December 31, 1952, for olive oil delivered to CCC in an approved warehouse will be paid by CCC.

§ 643.678 *Support prices.* (a) The support price for olive oil which meets "U. S. Grade A" standards and contains up to and including one percent free fatty acid will be $2.50 per gallon.

(b) The support price for olive oil which meets "U. S. Grade A" standards and contains over one percent and not more than 1.4 percent free fatty acid will be $2.25 per gallon.

§ 643.679 *PMA Commodity office.* The address of the PMA Commodity office serving California and Arizona is: 333 Fell Street, San Francisco 2, California.

Issued this 21st day of February 1952.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-2245; Filed, Feb. 26, 1952; 8:53 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amdt. 7 to Supplementary Regulation 12]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 12—EXTENSION OF EFFECTIVE DATE FOR PARTICULAR COMMODITIES

ADDITIONS, DELETIONS, AND CLARIFICATIONS CONCERNING MISCELLANEOUS TEXTILE AND RELATED COMMODITIES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 7 to Supplementary Regulation 12 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment makes additions to and deletions from the list of miscellaneous textile and related commodities added to Supplementary Regulation 12 to Ceiling Price Regulation 22 by Amendment 5 to that supplementary regulation.

The commodities being added to Supplementary Regulation 12 by this amendment are blankets, clips, and twine. The reasons for including these commodities are the same as set forth in the statement of considerations to Amendment 5.

Fabric-covered rubber thread, which was inadvertently included in the list of commodities in Amendment 5, is deleted from Supplementary Regulation 12 by this amendment. This commodity is made almost entirely by rubber companies who are already pricing under Ceiling Price Regulation 22. Since the considerations involved in including commodities under Amendment 5 are not applicable to fabric-covered rubber thread, the optional postponement of Ceiling Price Regulation 22 for this commodity is not desirable.

Certain commodities in Amendment 5 are, at the same time, regrouped or reworded to permit greater clarity and to avoid duplication and ambiguity.

Because of the nature of this amendment the Director has not found it necessary or practicable to consult with industry representatives.

AMENDATORY PROVISIONS

Subparagraph 32 of section 1 (b) of Supplementary Regulation 12 to Ceiling Price Regulation 22 is amended in the following respects:

1. Between "Bindings" and "Bobbinet" insert "Blankets."
2. Delete "Clip spots or dots" and substitute therefor: "Clips, clip spots or dots."
3. Delete "Cordage and rope and products 50 percent or more by weight of cordage" and substitute therefor: "Cordage, rope, and twine and products 50 percent or more by weight of cordage."
4. Change "Elastic tape, braid, and cord" to "Elastic tape, braid, and cord, excluding fabric-covered rubber thread."
5. Change "Lace: barzen, burnt-out, levers, Nottingham, warp knit" to read "Lace: barmen, burnt-out, levers, Nottingham, warp knit."
6. Change "Linen goods" to read: "Linen goods (including bed linens)."
7. Delete "Linens, cotton including bed."
8. Delete "Thread, fabric-covered rubber."
9. Change "Webbing, elastic and non-elastic (braid and cord)" to read: "Webbing, braid, and cord (elastic and non-elastic), excluding fabric-covered rubber thread."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date: This amendment 7 to Supplementary Regulation 12 to Ceiling Price Regulation 22 shall become effective March 3, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 26, 1952.

[F. R. Doc. 52-2326; Filed, Feb. 26, 1952; 11:45 a. m.]

[Ceiling Price Regulation 37, Amdt. 4]

CPR 37—PRIMARY COTTON TEXTILE MANUFACTURERS' REGULATION

CLARIFICATION OF FRINGE BENEFITS

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 4 to Ceiling Price Regulation 37 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment clarifies a seeming ambiguity in section 17 (c) as to the fringe benefits that may be included in the cost of labor. The revision of this section makes it clear that fringe benefits include health, welfare and insurance plans, pension contributions for current work, paid vacations, paid holidays and similar benefits, including payments required under the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any State or local unemployment or compensation laws.

In view of the nature of this amendment the Director of Price Stabilization has not found it necessary or practicable to consult formally with representatives of industry.

AMENDATORY PROVISIONS

Ceiling Price Regulation 37 is hereby amended in the following respect:

Section 17 (c) is amended to read as follows:

(c) "Cost of labor" means the cost of labor that enters directly into the product and is paid at hourly or piece rates. In addition, it includes the cost of labor for factory supervision, ordinary maintenance, repair of plant or equipment, materials control, and testing and inspection. It may include the equivalent, on an hourly or piece rate basis, of so-called fringe benefits. Fringe benefits include health, welfare and insurance plans, pension contributions for current work, paid vacations, paid holidays and similar benefits, including payments required under the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any state or local unemployment or compensation laws. "Cost of labor" does not include the cost of labor for general administration, sales, advertising, research, major repairs or replacement of plant or equipment and expansion of plant or equipment. In computing the cost of labor for a unit of yarn or fabric under this regulation, you shall allocate the permitted labor costs according to your customary accounting method. The same method must be used in all computations of unit cost of labor.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154)

Effective date. This amendment shall become effective on March 3, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 26, 1952.

[F. R. Doc. 52-2327; Filed, Feb. 26, 1952; 11:45 a. m.]

[Ceiling Price Regulation 55, Amdt. 8]

CPR 55—CEILING PRICES FOR CERTAIN PROCESSED VEGETABLES OF THE 1951 PACK

CLARIFICATION OF RAW MATERIAL ADJUSTMENT AND MISCELLANEOUS CHANGES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No.

2 (16 F. R. 738), this amendment to Ceiling Price Regulation 55, as amended, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment clarifies the raw material adjustment provision of section 2 of Ceiling Price Regulation 55 by specifically providing that if a processor did not purchase raw material on the same graded basis during each of the years 1948, 1950 and 1951, he is required to figure the raw material adjustment on the basis of his weighted average price paid for all raw material in each of those years. The amendment also broadens the pricing provisions of section 4 and makes other miscellaneous changes in the regulation.

The need for a clarification of the raw material adjustment provisions of section 2 became apparent from information submitted by members of the canning industry, after the issuance of Amendment 4 to CPR 55, showing that in some cases processors have changed from year to year the basis on which they buy raw material. CPR 55 as originally issued provided that a processor should figure his raw material adjustment by determining the differences between his 1948 and 1950 weighted average raw material costs and then combining this difference with the difference between his 1950 and 1951 (up to date of calculation) weighted average raw material cost, subject to the limitations set forth in Table II for maximum permitted increases between 1950 and 1951. Amendment 4 revised the procedure by adding to section 2 (c) provisions requiring processors who purchase raw materials on a graded basis to figure the increase or decrease in raw material costs by weighting purchases in 1948, 1950 and 1951 on the basis of actual grades purchased in 1950. Some processors who may have purchased raw materials in one of the years mentioned on an ungraded basis, or a different grade basis than in the other years have indicated uncertainty as to whether they determine their ceilings under section 2 of the regulation or use other provisions of the regulation. This amendment accordingly changes section 2 (c) by providing that the raw material increase or decrease may be figured on a graded basis only if the processor purchased on the same graded basis in each of the years 1948, 1950, and 1951. If this requirement is not met in making the adjustment he uses the weighted average price paid in each year regardless of grade.

Section 4 is amended by reversing the sequence of paragraphs (b) and (c) in order that processors may determine ceiling prices for items not sold during the base period by using a markup over direct costs of a comparable item before being required to use the change of container size provisions of the original paragraph (b). However, smaller processors who do not have adequate records to make direct cost comparisons will still be able to use the change of container size provision. Paragraph (a) and the newly designated paragraph (b) are also amended to provide that the "comparison item" shall be one for which the processor is able to figure a ceiling price even though he is no longer selling the item. This change will provide for consistent treatment in paragraphs (a), (b) and (c). Section 4 is further changed to provide that container sizes within the range of No. 3 cylinder and larger sizes may be priced by comparison with each other but not by comparison with can sizes smaller than the No. 3 cylinder; that items which differ in grade or grade and container size be priced by reference on the opening price list to a comparison item nearest in price on such price list; the word density has been added to paragraph (a) (3) in order that items such as tomato puree may be priced by reference to a comparison item of a different density; and revised paragraph (b) has been amended to provide that the comparison item shall be an item of the same grade of the product whose direct cost is the closest to that of the item being priced or if there is no item of the same grade, then the comparison item is the item of any other grade of the product whose direct cost is nearest to that of the item being priced.

It is believed that these changes will enable processors to make more frequent use of section 4, rather than sections 6 or 7, and will more nearly conform the provisions of section 4 to customary practices in the industry. Processors may avail themselves of the pricing provisions of section 4 as amended by this amendment but are not required to recalculate ceilings for items which have been determined prior to the effective date of this Amendment 8.

Section 7, dealing with individual authorization, is amended by making reference to the official form which may be used in applying for a price; by changing paragraph (b) to specify that supplemental information must be submitted to OPS within 20 days from date of the letter or telegram requesting additional information, and by making the 20-day period after which a proposed price will be deemed authorized begin to run from the date the application or all additional information is received by OPS by registered mail, return receipt requested, rather than 20 days from date of mailing as presently provided. These changes will permit OPS to have the same period of time in which to act on each individual request for a price regardless of the distance from Washington of the processor.

The reporting provisions of section 19 have been modified in order to require a processor who is pricing under section 6 to file with his reporting form a statement showing why he cannot price under section 2, 3, or 4. It is also made clear that ceiling prices determined under any supplementary regulation to CPR 55 must be reported.

The changes made in CPR 55 by this amendment are in general the result of informal suggestions from the industry affected. While formal consultation with representatives of the industry was not practicable, it is the judgment of the Director of Price Stabilization that these changes generally reflect the views of industry. In his judgment the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 55 is amended in the following respects:

1. The text preceding Table II in section 2 (c) is amended to read as follows:

(c) *How to figure the raw material adjustment.* Next, you shall determine your raw material adjustment in accordance with the procedure of this paragraph.

If you have determined a base price for a group of factories under paragraph (a) (3) of this section in making the raw material adjustments under this paragraph you shall figure your weighted average raw material costs per ton, or other unit of purchase, on the basis of raw material costs for all of the factories included in the group.

If you purchased raw material on the same graded basis in each of the years 1948, 1950 and 1951, you may compute your increase or decrease under subparagraphs (1) and (2) of this paragraph by weighting all purchases in each of those years on the basis of the actual grades purchased in 1950.

You compute your raw material adjustment as follows:

(1) Determine the difference between your 1948 and 1950 weighted average raw material cost per ton (or other unit of purchase) as defined in section 26 of this regulation.

(2) Determine the difference between your 1950 and, up to the date of the computation of your ceiling prices, your 1951 weighted average raw material cost per ton (or other unit of purchase), delivered or contracted to be delivered, at your factory. However, if the amount by which your 1951 cost exceeds your 1950 cost is greater than the appropriate maximum permitted raw material increase for the area in which your factory is located, both in terms of dollars-and-cents and in terms of a percentage of your 1950 weighted average raw material cost, as provided in Table II, then, in the computation of the difference between 1950 and 1951 costs in making this determination use either of the increases provided in the table instead of your actual increase.

2. Section 4 is amended in the following respects:

a. The second sentence in paragraph (a) is amended to read as follows:

"The 'comparison item' is limited to an item of the product for which you are able to figure a ceiling price under section 2 or 3 even though you no longer sell that particular item of the product."

b. The following sentence is added to the first paragraph of paragraph (a): "In determining ceiling prices under this paragraph the No. 3 cylinder and larger sizes shall neither be priced by comparison with container sizes smaller than the No. 3 cylinder nor used as comparison items to price a container size smaller than the No. 3 cylinder, but the No. 3 cylinder and larger sizes may be priced by comparison with No. 3 cylinder or larger size.

c. The second sentence in paragraph (a) (1) is deleted.

d. The paragraph heading and first sentence of paragraph (a) (2) are amended to read as follows:

(2) *Items which differ in grade.* You shall select as a "comparison item" from your price list that item differing in grade (which may or may not also differ in container size) which is nearest in price to the item being priced.

e. The paragraph heading and first sentence of paragraph (a) (3) are amended by adding the word "density" to read as follows:

(3) *Items which differ in variety, style of pack, sieve size, density or count.* You shall select as a "comparison item" from your price list that item differing in variety, style of pack, sieve size, density or count (which may or may not also differ in grade or container size) which is nearest in price to the item being priced.

f. The original paragraph (c) is redesignated (b) and is amended to read as follows:

(b) *Items for which ceiling prices cannot be determined under paragraph (a).* If you are unable to calculate your ceiling price for an item under paragraph (a) of this section but are able to calculate ceiling prices for other items of the same product under sections 2, 3 or paragraph (a) of this section, you shall calculate your ceiling price for the item being priced in the following manner:

(1) Select as a "comparison item" an item of the same product for which you are able to calculate a ceiling price under section 2, 3, or paragraph (a) of this section even though you no longer sell that particular item of the product, and which differs from the item being priced in one or more of the following respects: Container size, container type, variety, grade, style of pack, sieve size, density or count. This comparison item shall be the item of the same grade of the product whose "current direct cost" per dozen containers is closest to that of the item being priced, or if there is no item of the same grade the comparison item shall be the item of the product whose "current direct cost" per dozen containers is closest to that of the item being priced. "Current direct cost" means the sum of the amounts (not higher than permitted by law) which it costs you for direct processing labor, ingredients and packaging materials.

(2) Determine the "current direct cost" per dozen containers of the comparison item.

(3) Determine the "current direct cost" per dozen containers of the item being priced.

(4) Divide the current direct cost of the item being priced by the current direct cost of the comparison item.

(5) Multiply the ceiling price for the comparison item selected in subparagraph (1) of this paragraph by the quotient obtained in subparagraph (4) of this paragraph. The result is your ceiling price for the item being priced.

g. The original paragraph (b) is redesignated (c) and is amended to read as follows:

(c) *Ceiling prices for items of a product in new container sizes.* If you are unable to calculate your ceiling price for an item under paragraphs (a) or (b) of this section and if you can obtain a "comparison item", you shall calculate your ceiling price under this paragraph. Your "comparison item" is the item of the same product (i) for which you are able to figure a ceiling price under sections 2, 3 or 4 (a) or (b) even though you no longer sell the product in that container size, (ii) which differs from the item being priced only in container size, and (iii) which is nearest in container size to the item being priced but is not more than 75 percent larger or smaller in size. Then to obtain your ceiling price, you shall:

(1) Obtain the f. o. b. factory ceiling price per dozen containers for the comparison item.

(2) Subtract from subparagraph (1) of this paragraph, the "container cost" per dozen containers of the comparison item. "Container cost" means the current net cost to the processor, delivered at his factory of containers, caps, labels and proportionate shipping cartons.

(3) Divide the label weight of the item being priced by the label weight of the comparison item.

(4) Multiply the figure determined under subparagraph (2) by the quotient obtained in subparagraph (3) of this paragraph.

(5) Add to the result of subparagraph (4) of this paragraph the current "container cost" per dozen containers of the item being priced. The result is your ceiling price f. o. b. factory, per dozen containers of the item being priced.

3. Section 7 is amended in the following respects:

a. The following sentence is added to the first paragraph: "Your application may be submitted on OPS Public Form No. 78, copies of which may be obtained from any field office of the Office of Price Stabilization or from the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C."

b. Paragraph (b) is amended to read as follows:

(b) *Supplementary information must be given if specifically requested.* You shall mail to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., within 20 days from the date of its request, such additional information as shall be requested. If you fail, without reasonable explanation, to mail or otherwise submit all additional information that may have been requested within 20 days after the date of such request your application shall be considered withdrawn and the docket closed. Unless the application is refiled, the docket will not be reopened upon subsequent receipt of this information and further consideration by the Office of Price Stabilization will not be given.

c. The second paragraph of paragraph (c) is amended to read as follows:

A proposed price shall be considered authorized 20 days after the application (or all additional information that may have been requested) is received by registered mail, return receipt requested, by the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., unless within that time, the applicant has received from the Office of Price Stabilization a notice to the contrary.

4. Section 19 is amended in the following respects:

a. Paragraph (a) is amended to read as follows:

(a) If you are required to determine ceiling prices for items of the processed vegetables covered by this regulation, you shall mail to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., a report on OPS Public Form No. 66, signed by you, for all items for which you determine ceiling prices under this regulation or any supplementary regulation thereto. If you determine your ceiling prices under section 4 or 5 you shall furnish a copy of your computations. If you determine your ceiling price for an item under section 6, you shall furnish the names and addresses of the processors from whom you borrowed ceiling prices, the ceiling prices borrowed, and a statement showing why you are unable to compute your ceiling under section 2, 3 or 4 of this regulation. All items of the product shall be included on one form. However, an additional report shall be filed if ceiling prices for some items of a product are determined at a later date. Copies of the reporting form may be obtained from any field office of the Office of Price Stabilization, or from the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C.

b. In paragraph (b) the word "hereunder" is deleted.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. You may, but you are not required to recalculate ceiling prices previously determined under section 4 of CPR 55. This amendment shall be effective March 3, 1952.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 26, 1952.

[F. R. Doc. 52-2328; Filed, Feb. 26, 1952; 11:45 a. m.]

[Ceiling Price Regulation 56, Amdt 7]

CPR 56—CEILING PRICES FOR CERTAIN PROCESSED FRUITS AND BERRIES OF THE 1951 PACK

CLARIFICATION OF RAW MATERIAL ADJUSTMENT AND MISCELLANEOUS CHANGES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 7 to Ceiling Price Regulation 56, as amended, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment clarifies the raw material adjustment provision of section 2 of Ceiling Price Regulation 56 by specifically providing that if the processor did not purchase raw material on the same graded basis during 1948 and 1951, he is required to figure the raw material adjustment on the basis of his weighted average price paid for all raw material in each of those years. The amendment also broadens the pricing provisions of section 4 and makes other miscellaneous changes in the regulation. Similar changes are being made in CPR 55.

The need for clarification of the raw material adjustment provisions of section 2 became apparent from information submitted by members of the canning industry, after the issuance of Amendment 4 to CPR 56, showing that in some cases processors have changed from year to year the basis on which they buy raw material. CPR 56 as originally issued provided that a processor should figure his raw material adjustment by determining the difference between his 1948 and 1951 weighted average raw material costs (up to the date of calculation) subject to the limitations set forth in Table III for maximum permitted increase between 1948 and 1951. Amendment 4 revised the procedure by adding to section 2 (d) provisions requiring processors who purchase raw materials on a graded basis to figure the increase or decrease in raw material costs by weighting purchases in both 1948 and 1951 on the basis of actual grades purchased in 1948. Some processors who may have purchased raw materials in one of the years mentioned on an ungraded basis, or a different grade basis than in the other year have indicated uncertainty as to whether they determine their ceilings under section 2 of the regulation or use other provisions of the regulation. The amendment accordingly changes section 2 (d) by providing that the raw material increase or decrease may be figured on a graded basis only if the processor purchased on the same graded basis in both 1948 and 1951. If this requirement is not met in making the adjustment he used the weighted average price paid in each year regardless of grade.

Section 4 is amended by reversing the sequence of paragraph (b) and (c) in order that processors may determine ceiling prices for items not sold during the base period by using a markup over direct costs of a comparable item before being required to use the change of container size provisions of the original paragraph (b). However, smaller processors who do not have adequate records to make direct cost comparisons will still be able to use the change of container size provision. Paragraph (a) and the newly designated paragraph (b) are also amended to provide that the "comparison item" shall be one for which the processor is able to figure a ceiling price even though he is no longer selling the item. This change will provide for consistent treatment in paragraphs (a), (b) and (c). Section 4 is further changed to provide that container sizes within the range of No. 3 cylinder and larger sizes may be priced by comparison with each other but not by comparison with can sizes smaller than the No. 3 cylinder; that items which differ in grade or grade and container size be priced by reference on the opening price list to a comparison item nearest in price on such price list; and revised paragraph (b) has been amended to provide that the comparison item shall be an item of the same grade of the product whose direct cost is the closest to that of the item being priced or if there is no item of the same grade, then the comparison item is the item of any other grade of the product whose direct cost is nearest to that of the item being priced. It is believed that these changes will enable processors to make more frequent use of section 4, rather than section 6 or 7, and will more nearly conform the provisions of section 4 to customary practices in the industry. Processors may avail themselves of the pricing provisions of section 4 as amended by this amendment but are not required to recalculate ceilings for items which have been determined prior to the effective date of this Amendment 7.

Section 7, dealing with individual authorization, is amended by making reference to the official form which may be used in applying for a price; by changing paragraph (b) to specify that supplemental information must be submitted to OPS within 20 days from date of the letter or telegram requesting additional information, and by making the 20-day period after which a proposed price will be deemed authorized begin to run from the date the application or all additional information is received by OPS by registered mail, return receipt requested, rather than 20 days from date of mailing as presently provided. These changes will permit OPS to have the same period of time in which to act on each individual request for a price regardless of the distance from Washington of the processor.

The reporting provisions of section 19 have been modified in order to require a processor who is pricing under section 6 to file with his reporting form a statement showing why he cannot price under section 2, 3 or 4. It is also made clear that ceiling prices determined under any supplementary regulation to CPR 56 must be reported.

The changes made in CPR 56 by this amendment are in general the result of informal suggestions from the industry affected. While formal consultation with representatives of the industry was not practical, it is the judgment of the Director of Price Stabilization that these changes generally reflect the views of industry. In his judgment the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 56 is amended in the following respects:

1. The text preceding Table III in section 2 (d) is amended to read as follows:

(d) *How to figure the raw material adjustment.* Next, you shall determine your raw material adjustment in accordance with the procedure of this paragraph.

If you have determined a base price for a group of factories under paragraph (a) (3) of this section, in making the raw material adjustments under this paragraph you shall figure your weighted average raw material costs per ton, or other unit of purchase, on the basis of raw material costs for all of the factories included in the group.

If you have customarily maintained a distinction among varieties in your sales of items of a product, you may figure a separate raw material adjustment for each variety.

If you purchased raw material on the same graded basis in each of the years 1948 and 1951, you may compute your increase or decrease under subparagraph (1) of this paragraph by weighting all purchases in each of those years on the basis of the actual grades purchased in 1948.

You determine your raw material adjustment as follows:

(1) Determine the difference between your 1948 "weighted average raw material cost" and, up to the time of the computation of your ceiling price for the item, your 1951 "weighted average raw material cost" per ton (or other unit of purchase), delivered or contracted to be delivered, at your factory. If your 1951 costs so determined exceed your 1948 costs, and the permitted adjustment in Table III is a plus figure, you shall use either your actual increase, or the increase for the area in which your factory is located, as provided in Table III, whichever is lesser. If your 1951 costs exceed your 1948 costs, and the permitted adjustment shown in Table III is a minus quantity, you must use the decrease shown in the table. If your 1948 costs exceed your 1951 costs you shall either use your actual decrease or the decrease for the area in which your factory is located, as provided in Table III, whichever is greater.

2. Section 4 is amended in the following respects:

a. The second sentence in paragraph (a) is amended to read as follows: "The 'comparison item' is limited to an item of the product for which you are able to figure a ceiling price under section 2 or 3 even though you no longer sell that particular item of the product."

b. The following sentence is added to the first paragraph of paragraph (a): "In determining ceiling prices under this paragraph the No. 3 cylinder and larger sizes shall neither be priced by comparison with container sizes smaller than the No. 3 cylinder nor used as comparison items to price a container size smaller than the No. 3 cylinder, but the No. 3 cylinder and larger sizes may be priced by comparison with No. 3 cylinder or larger size."

c. The second sentence in paragraph (a) (1) is deleted.

d. The paragraph heading and first sentence of paragraph (a) (2) are amended to read as follows:

(2) *Items which differ in grade.* You shall select as a "comparison item" from your price list that item differing in grade (which may or may not also differ

in container size) which is nearest in price to the item being priced.

e. The original paragraph (c) is redesignated (b) and is amended to read as follows:

(b) *Items for which ceiling prices cannot be determined under paragraph (a).* If you are unable to calculate your ceiling price for an item under paragraph (a) of this section but are able to calculate ceiling prices for other items of the same product under sections 2, 3, or paragraph (a) of this section, you shall calculate your ceiling price for the item being priced in the following manner:

(1) Select as a "comparison item" an item of the same product for which you are able to figure a ceiling price under section 2, 3, or paragraph (a) of this section even though you no longer sell that particular item of the product, and which differs from the item being priced in one or more of the following respects: Container size, container type, variety, grade, style of pack, count or packing medium (syrup, juice or water). This comparison item shall be the item of the same grade of the product whose "current direct cost" per dozen containers is closest to that of the item being priced, or if there is no item of the same grade the comparison item shall be the item of the product whose "current direct cost" per dozen containers is closest to that of the item being priced. "Current direct cost" means the sum of the amounts (not higher than permitted by law) which it costs you for direct processing labor, ingredients and packaging materials.

(2) Determine the "current direct cost" per dozen containers of the comparison item.

(3) Determine the "current direct cost" per dozen containers of the item being priced.

(4) Divide the current direct cost of the item being priced by the current direct cost of the comparison item.

(5) Multiply the ceiling price for the comparison item selected in subparagraph (1) of this paragraph by the quotient obtained in subparagraph (4) of this paragraph. The result is your ceiling price for the item being priced.

f. The original paragraph (b) is redesignated (c) and is amended to read as follows:

(c) *Ceiling prices for items of a product in new container sizes.* If you are unable to calculate your ceiling price for an item under paragraphs (a) or (b) of this section and if you can obtain a "comparison item", you shall calculate your ceiling price under this paragraph. Your "comparison item" is the item of the same product (i) for which you are able to figure a ceiling price under sections 2, 3, or 4 (a) or (b) even though you no longer sell the product in that container size, (ii) which differs from the item being priced only in container size, and (iii) which is nearest in container size to the item being priced but is not more than 75 percent larger or smaller in size. Then to obtain your ceiling price, you shall:

(1) Obtain the f. o. b. factory ceiling price per dozen containers for the comparison item.

(2) Subtract from subparagraph (1) of this paragraph the "container cost" per dozen containers of the comparison item. "Container cost" means the current net cost to the processor, delivered at his factory of containers, caps, labels and proportionate shipping cartons.

(3) Divide the label weight of the item being priced by the label weight of the comparison item.

(4) Multiply the figure determined under subparagraph (2) by the quotient obtained in subparagraph (3) of this paragraph.

(5) Add to the result of subparagraph (4) of this paragraph the current "container cost" per dozen containers of the item being priced. The result is your ceiling price f. o. b. factory, per dozen containers of the item being priced.

3. Section 7 is amended in the following respects:

a. The last sentence in the first paragraph is amended to read as follows: "Your application may be submitted on OPS Public Form No. 78, copies of which may be obtained from any field office of the Office of Price Stabilization, or from the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C."

b. Paragraph (b) is amended to read as follows:

(b) *Supplementary information must be given if specifically requested.* You shall mail to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., within 20 days from the date of its request, such additional information as shall be requested. If you fail, without reasonable explanation, to mail or otherwise submit all additional information that may have been requested within 20 days after the date of such request your application shall be considered withdrawn and the docket closed. Unless the application is refiled, the docket will not be reopened upon subsequent receipt of this information and further consideration by the Office of Price Stabilization will not be given.

c. The second paragraph of paragraph (c) is amended to read as follows:

A proposed price shall be considered authorized 20 days after the application (or all additional information that may have been requested) is received by registered mail, return receipt requested, by the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., unless, within that time, the applicant has received from the Office of Price Stabilization a notice to the contrary.

4. Section 19 (a) is amended to read as follows:

(a) If you are required to determine ceiling prices for items of the processed fruits or berries covered by this regulation, you shall mail to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., a report on OPS Public Form No. 76, signed by you, for all items for which you determine ceiling prices under this regulation or any supplementary regulation thereto. If you determine your ceiling prices under section 4 or 5 you shall furnish a copy of your computations. If you determine your ceiling price for an item under section 6, you shall furnish the names and addresses of the processors from whom you borrowed ceiling prices, the ceiling prices borrowed, and a statement showing why you are unable to compute your ceiling under section 2, 3 or 4 of this regulation. All items of the product shall be included on one form. However, an additional report shall be filed if ceiling prices for some items of a product are determined at a later date. Copies of the reporting form may be obtained from any field office of the Office of Price Stabilization, or from the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. You may, but you are not required to recalculate ceiling prices previously determined under section 4 of CPR 56. This amendment shall be effective March 3, 1952.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 26, 1952.

[F. R. Doc. 52-2329; Filed, Feb. 26, 1952; 11:46 a. m.]

[General Ceiling Price Regulation, Supplementary Regulation 31, Revision 2]

COTTONSEED MEAL, SLAB CAKE, SIZED CAKE, PELLETS AND HULLS

EMERGENCY ADJUSTMENT

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 31, Revision 2, to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This second revision of Supplementary Regulation 31 to the General Ceiling Price Regulation is issued to remedy a serious distribution problem confronting sellers of cottonseed meal, slab cake, sized cake, pellets and hulls. The problem is outlined in the Statement of Considerations which accompanied Revision 1 of Supplementary Regulation 31 to the General Ceiling Price Regulation.

Revision 1 was an emergency adjustment issued subject to change or withdrawal upon consideration of additional data. It allowed sellers who, because of severe drought and insect infestations, were forced to go outside their usual area of supply to obtain cottonseed by-products, to add to their ceiling prices inbound transportation costs in excess of those incurred during the base period of the General Ceiling Price Regulation.

It did not, however, adequately cover all shortage situations. Thus the addition of the increase in freight cost, to a GCPR ceiling price based on purchases from suppliers in one area, might result in new ceilings that are either too high or too low in relation to stocks acquired from suppliers in other areas who

have higher or lower ceilings than the customary suppliers.

This revision, therefore, adopts a different technique by permitting the processor or other seller of cottonseed meal, slab cake, sized cake, pellets and hulls to establish his ceiling price by adding to his supplier's selling price f. o. b. the supplier's place of business his inbound transportation costs at the rates in effect during the GCPR base period and his base period dollars-and-cents margin. Since his dollar margin will be the same regardless of price, and the other elements of the ceiling price will represent no more than the seller's out-of-pocket expenses, there will be no incentive to haul the commodity over any greater distances than are necessary to obtain supplies, and the user will receive the feed at the lowest price consistent with maintenance of an adequate flow of the material. In addition, because the transportation cost which may be added will be at rates in effect in the base period, this revision will permit the addition of increases in inbound transportation costs arising solely from the need of relieving a shortage, i. e., because of longer haulage, and not because of the general increases in freight rates. The ceiling price so computed will be adequate to permit bringing in of supplies from surplus areas to shortage areas, and in some cases may be actually lower than ceiling prices established under the provisions of Revision 1 of Supplementary Regulation 31.

Because the cottonseed derivatives covered by this regulation move on transit balances and because the pricing formula embodied in the regulation requires reference to a supplier's price for a particular lot of the commodity, it would be difficult, if not impossible, to make it applicable to supplies already on hand. This means that a particular seller may have two ceiling prices; one for supplies purchased before the effective date of this revision and one for supplies purchased after that date. Furthermore, since the pricing technique is, in the case of a processor, based on the purchase of cake from a supplier, the ceiling prices of cake obtained by a processor from his own crushing operations, and of the products made from such cake, are not changed by this regulation. However, in these respects, the situation is the same under regulations now in effect. A "tailored" regulation for cottonseed and its derivatives would eliminate these shortcomings, but the time necessary for the formulation of such a regulation makes it necessary to provide an interim pricing method more satisfactory than the present provisions of SR 31. The accompanying revision, despite its defects, will fill that need.

Prior to the issuance of this regulation, the Director of Price Stabilization has consulted with industry representatives to the extent practicable, and has given consideration to their recommendations.

In the judgment of the Director of Price Stabilization, the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended. So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 7 issued under Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation establishes ceiling prices for all domestic sales of cottonseed oil slab cake, sized cake, pellets, meal and hulls, whole-pressed cottonseed oil slab cake, sized cake, pellets and meal, or a mixture of two or more of these products, when such sales are made by sellers who buy any of these commodities f. o. b. their suppliers' places of business.

SEC. 2. *Ceiling prices for stocks acquired after March 3, 1952*—(a) *Processors.* If you are a processor of sized cottonseed cake, meal or pellets from cake or, in the case of pellets, from meal which you purchase f. o. b. your supplier's place of business, your ceiling price for a sale of a lot of your processed commodity is the sum of:

(1) Your supplier's selling price f. o. b. per ton his place of business for the lot of the purchased commodity used in the processing of the quantity of the product in your sale, adjusted to the weight of that quantity;

(2) The inbound transportation costs (including transportation tax) for the shipment of the purchased lot at the rates in effect during the base period, adjusted to the weight of that quantity; and

(3) Your dollar-and-cents "base period margin" on sales to the class of purchaser of which your customer is a member. For the definition of "base period margin," see section 7.

EXAMPLE: Assume that, after the effective date of this regulation, you purchase a 30-ton lot of slab cake at $78 per ton f. o. b. your supplier's place of business and that, calculated on the basis of rail rates in effect during the base period, inbound transportation cost for the lot is $10 per ton. Assume further that you process 30 tons of meal from this cake and that your "base period margin" between the cost of slab cake in bulk and your GCPR ceiling price of meal sold in bulk was $2 per ton.

Your ceiling price for a 1,000-pound lot of this meal sold in bulk is calculated as follows:

Supplier's selling price per ton of slab cake, his place of business, $78.	
Supplier's price adjusted to 1,000-pound quantity (½ of ton × $78)	$39.00
Inbound transportation cost per ton at rate in effect during base period ($10) adjusted to weight of 1,000-pound quantity (½ of ton × $10)	5.00
"Base period margin" between slab cake and meal ($2) adjusted to 1,000-pound quantity (½ of ton × $2)	1.00
Ceiling price for 1,000-pound bulk sale of meal	45.00

(b) *Distributors.* If you are a distributor and purchase f. o. b. your supplier's place of business any commodity enumerated in section 1, your ceiling price for a sale of a quantity of that commodity is the sum of:

(1) Your supplier's selling price f. o. b. his place of business, adjusted to the weight of the quantity in your sale;

(2) The inbound transportation costs (including transportation tax) at the rates in effect during the base period for the shipment of the lot from which the quantity in your sale is drawn, adjusted to the weight of such sale; and

(3) Your dollar-and-cents "base period markup" on sales of the commodity to the class of purchaser of which your customer is a member. "Base period markup" is defined in section 7.

EXAMPLE: Assume that, after the effective date of this regulation, you purchase a 30-ton lot of meal at $80 per ton f. o. b. your supplier's place of business and that, calculated on the basis of rail rates in effect during the base period, inbound transportation cost for the lot is $10 per ton. Assume further that your "base period markup" during the base period between the cost of meal in bulk and your GCPR ceiling price for meal sold sacked to feeders was $6 per ton ($3 markup plus $3 for sacks).

Your ceiling price for a 100-pound sack of meal drawn from the purchased 30-ton lot and sold to a feeder is calculated as follows:

Your supplier's price of meal per ton f. o. b., $80.	
Supplier's price adjusted to 100-pound quantity of sale (1/20 of ton × $80)	$4.00
Inbound transportation cost per ton at rates in effect during base period adjusted to 100-pound quantity of sale (1/20 of ton × $10)	.50
"Base period markup" per ton during base period for sales sacked to feeders, $6.	
"Base period markup" adjusted to 100-pound quantity of sales (1/20 of ton × $6)	.30
Ceiling price for 100-pound sack	4.80

(c) *Recalculation of ceiling prices.* Your new ceiling prices determined under this section apply until the total quantity of the purchased lot or the commodity processed therefrom has been sold by you. If you receive a subsequent shipment bearing a higher cost, you may not increase your ceiling prices above the levels established on receipt of the previous shipment until such previous shipment has been exhausted. If you receive a subsequent shipment bearing a lower cost than the previous shipment, you must, after exhausting the previous shipment, recalculate your ceiling price under this section.

SEC. 3. *Ceiling prices for stocks on hand.* If, on or after March 3, 1952, you sell any quantity of a shipment of a commodity enumerated in section 1 and you purchased that shipment prior to March 3, 1952, or if, on or after that date, you sell any quantity of a commodity processed by you from such a prior shipment, your ceiling price for such quantity is the ceiling price in effect immediately preceding March 7, 1952. Your ceiling prices determined under this section will apply until the total quantity of the stock on hand prior to March 3, 1952 has been sold by you.

SEC. 4. *Ceiling prices for new sellers; for sales to a new class of purchaser; for sellers who cannot price under other sections.* (a) If you wish to sell any quantity of a shipment of a commodity enumerated in section 1 which is purchased f. o. b. your supplier's place of business on or after March 3, 1952, or any quantity of a commodity processed from such shipment and you:

(1) Did not deliver the commodity during the base period or offer it for base period delivery; or

(2) Did not deliver it during the base period or offer it for base period delivery to a particular class of purchaser of which your customer is a member; or

(3) Cannot for any other reason determine your ceiling price for it under any of the foregoing provisions of this supplementary regulation, you must apply in writing to the Director of Price Stabilization, Washington 25, D. C., for the establishment of a ceiling price to be applied to all sales made from such shipment. This application must specify why you are unable to determine your ceiling price under any provision of this regulation; all pertinent information describing the commodity, the nature of your business and the class of purchaser to which you propose to sell; your supplier's selling price for the shipment f. o. b. his place of business, transportation costs incurred or which will be incurred for the shipment from such supplier calculated on the basis of rates in effect during the GCPR base period, and your proposed processing charges, if any; and your proposed ceiling price and the method used by you to determine it. You may not sell any quantity of the commodity until the Director of Price Stabilization, in writing, notifies you of your ceiling price.

(b) The ceiling price established under this section shall apply until the total shipment for which it was established has been exhausted. If you receive a subsequent shipment bearing a higher or a lower cost than the previous shipment, you must recalculate your ceiling price using the method prescribed by section 2 of this supplementary regulation but substituting for the "base period margin" or "markup" of section 2 the margin or markup established for you under this section by the Director of Price Stabilization.

SEC. 5. *Records*—(a) *Base period records.* You must preserve and keep available for examination by the Director of Price Stabilization those records showing the prices charged by you for the commodities which you delivered or offered for delivery during the GCPR base period, and also sufficient records to establish the latest net cost incurred by you prior to the end of the base period in purchasing the commodities.

(b) *Current records.* In addition, you must, for a period of 2 years, keep available for examination by the Director of Price Stabilization all invoices and sales slips, bills for transportation which you receive, and all other records showing the basis on which you have computed ceiling prices under this supplementary regulation for each sale of any of such commodities.

(c) The requirements of this section are in addition to, and not in substitution for, the requirements contained in the General Ceiling Price Regulation regarding the keeping of records.

SEC. 6. *Relation of this regulation to the General Ceiling Price Regulation.* All provisions of the GCPR not inconsistent with the provisions of this supplementary regulation shall remain in effect.

SEC. 7. *Definitions.* When used in this supplementary regulation, the following definitions and explanations shall be controlling unless the context clearly requires otherwise:

(a) "Base period" means the base period of the GCPR, that is, the period from December 19, 1950, to January 25, 1951, inclusive.

(b) "Base period margin" means the dollar-and-cents difference between the weighted average cost, delivered to your plant, of cottonseed cake or meal (whichever the product in your sale is made from) which you purchased in the base period for the purpose of processing it, and your ceiling price, established under the GCPR without reference to any supplementary regulation, for the product involved in the sale to the class of purchaser of which your customer is a member. If you made no purchase of cottonseed cake or meal in the base period for that purpose, in computing your base period margin use the cost, delivered to your plant, of the last purchase of cottonseed cake or meal which you made before the base period for such purpose.

EXAMPLE: During the base period you purchased a total of 200 tons of cottonseed cake at the following prices delivered to your plant: 40 tons at $76 per ton, 100 tons at $78 per ton and 60 tons at $79 per ton. Your weighted average cost is computed as follows:

$76 per ton × 40 tons	$3,040
$78 per ton × 100 tons	7,800
$79 per ton × 60 tons	4,740
Total cost of cake purchased during base period	15,580

Weighted average cost of cake, $77.90 ($15,580÷200).

If your GCPR ceiling price for meal processed from cake is $80 per ton, your "base period margin" is $2.10 ($80−$77.90).

(c) "Base period markup" means the dollar-and-cents difference between the weighted average cost, delivered to your place of business, of purchases which you made as a distributor in the base period of a commodity covered by this regulation and your ceiling price, established under the GCPR, without reference to any supplementary regulation, for that commodity to the class of purchaser of which your customer is a member. If you made no purchase of the commodity as a distributor in the base period, in computing your base period markup use the cost of the last purchase of the commodity made by you before the base period.

(d) "Distributor" means, with respect to any lot of a commodity enumerated in section 1, a person who purchases a commodity and resells it in the same form in which he receives it from his supplier. You may have been a processor in the base period and now be operating as a distributor.

(e) "GCPR" means the General Ceiling Price Regulation, issued on January 26, 1951.

(f) "Processor" means, with respect to any lot of sized cottonseed cake, meal or pellets, a person who manufactures sized cake, meal or pellets from cottonseed cake or meal, as the case may be. You may have been a distributor in the base period and now be operating as a processor.

Effective date. This Supplementary Regulation 31, Revision 2, shall become effective March 3, 1952.

NOTE: The record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 26, 1952.

[F. R. Doc. 52-2330; Filed, Feb. 26, 1952; 11:47 a. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 16—KENOSHA MILK MARKETING AREA, STATE OF WISCONSIN

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Area Milk Price Regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

On November 1, 1951, five dairies, comprising the total number of processors in the Kenosha, Wisconsin Milk Marketing Area, applied for an increase in the price of milk products for fluid consumption. The applicants requested an increase of two cents above their General Ceiling Price Regulation price. This application was filed pursuant to the General Ceiling Price Regulation, Supplementary Regulation 63, which authorizes the appropriate District Director to adjust the price of milk products to reflect changes in specified costs from the base period (January 1–June 30, 1950) to the current period (the most recent month).

The costs considered are producer prices for milk, direct labor, and containers, cans and cases. The applicants have conformed to the provisions of Supplementary Regulation 63 in that they are representative of the market as a whole.

This Area Milk Price Regulation No. 16, issued under the authority of Supplementary Regulation 63 to the General Ceiling Price Regulation, establishes specific dollars and cents ceiling prices for sales of every milk product for fluid consumption presently being sold in the Kenosha, Wisconsin, milk marketing area. The prices established cover not only every item of every milk product for fluid consumption now being handled in the Kenosha area, but also every known type of sale standard to that area. These ceiling prices are contained in section 4 (a) of this regulation.

In order, however, to avoid the possibility of the failure to price a particular type of sale through oversight, section 4 (b) of the regulation establishes the method for determining the ceiling price for every item and every sale not covered by section 4 (a) for which a price can be determined under the provisions of the General Ceiling Price Regulation. The pricing technique used is establishing the ceiling price at the level established under the General Ceiling Price Regulation and in effect on the day immediately preceding the effective date of this Area Milk Price Regulation.

The prices established in Table A of section 4 (a) of the regulation represent generally an increase of 1 cent a sales point over existing ceiling prices determined under the provisions of the General Ceiling Price Regulation. The information contained in the applications, together with the additional information obtained by the Office of Price Stabilization, is sufficient in the opinion of the District Director of the Milwaukee office of Office of Price Stabilization to warrant issuance of an Area Milk Price Regulation.

The cost increases sustained by the applicants fully justify the increases granted by this Area Milk Price Regulation with one possible exception. That exception is in the price established for one-half gallon containers of milk at wholesale and at retail. It is primarily for this reason that this Area Milk Price Regulation is being issued on a temporary basis and is automatically revoked on April 15, 1952. The data available to this office indicates and supports the necessity for narrowing the differential between price of quarts and the price of half gallon containers. The applicants have informed the Office of Price Stabilization that the present differential of 4 cents between the price of two one-quart containers and one one-half gallon container is excessive and unrealistic. The applicants allege that the existence of this large differential is not representative, or typical, of the customary differential between sizes in the district. Certainly it is true that the differential between sales of one-half gallon containers and quart containers of milk is generally much less than that now prevailing in the Kenosha milk marketing area. Moreover, it is possible that in the absence of adjustment of this differential, dairies doing business in this area might be forced by economic considerations to eliminate all sales in half gallon container sizes. Any hardship caused to the dealers by reason of the excessively large differential is aggravated by the tendency of consumers to shift their purchases to the more economical half gallon size which represents a much less profitable operation to the milk dealer. It is in light of these considerations that the Director of the Milwaukee District Office has determined to issue this Area Milk Price Regulation on a temporary basis until April 15, 1952. The interim period should afford the applicants sufficient opportunity to present facts and evidence to this office to justify the permanence of the higher price granted half gallon containers on a temporary basis by this regulation. The applicants contend that they will be in a position to present information showing that the cost of processing and distributing in half gallon containers equals or is in excess of the cost of processing and distributing two one-quart containers, and that failure to make permanent the relief granted temporarily by this regulation will substantially affect the position of the industry in the Kenosha milk marketing area.

No increase has been granted in this regulation on sales other than those specified in Table A. The increases granted in Table A are due primarily to delivery cost increases and increases in the prices of raw milk. In establishing prices for sales other than those controlled by Table A at levels equaling the ceiling price in effect under the General Ceiling Price Regulation on the day preceding the effective date of this regulation, the dealer will be compensated for all increases in raw milk. The sales, however, not covered by Table A generally will be either non-delivered sales at wholesale or sales to distributors. In neither situation are delivery costs incurred; consequently, the level of price provided should realistically reflect proper business operations. It should be noted that in this case any distributor buying from a processor and selling to a consumer will be recompensed for his additional delivery costs by the provisions of this regulation. Ceiling prices for any sale which is not priced under Table A of section 4 (a) or under section 4 (b) must be applied for under the provisions of section 5. It is presumed that applications will primarily involve sales of items not heretofore sold in the Kenosha milk marketing area or sales to classes of customers not heretofore dealt with in that area. It is improbable that there will be very many applications of this type under the regulation.

It should be noted that this regulation also establishes ceiling prices for sales by retail stores. The retail store increases reflect the dollars and cents increase in the price granted the dairies on sales to retail stores; therefore, the dollars and cents margin at the retail store should remain constant as a result of the issuance of this regulation.

The producer paying price for milk upon which the processor prices in this regulation are based is specified in section 9 of this regulation. The price so specified is the one to be used in determining increases and decreases in processor ceiling prices under the provisions of section 8 (a) of Supplementary Regulation 63. Moreover, section 10, of this regulation, sets forth the method to be used by distributors and by operators of retail stores to compute their parity adjustments. Under the terms of this regulation distributors and operators of retail stores must reduce their ceiling prices as their cost of acquisition decreases by reason of the parity adjustment provisions applicable to processors in section 9 of the regulation.

The marketing area set forth in this regulation is that requested by the applicants and was determined after considering all relevant factors such as the similarity of producer prices paid, the similarity of the selling price of dairy products, the fact that all of the processing dairies in this area are covered by the same labor contract, the places where milk is processed and utilized, places where milk in the area originates and local ordinances and state statutes dealing with health standards in the localities involved. This regulation applies to every distributor and processor of milk in the Kenosha milk marketing area, and it is not restricted to those individuals who filed petitions before the Office of Price Stabilization. Every effort has been made to conform this regulation to existing business practices, cost practices and methods, and means and aids to distribution. Insofar as any provision of this regulation may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the District Director of the Office of Price Stabilization, 161 West Wisconsin Avenue, Milwaukee, Wisconsin, to be necessary to prevent circumvention or evasion of this regulation.

In the judgment of the District Director of the Office of Price Stabilization, the provisions of this Area Milk Price Regulation No. 16 in Region VII are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950 as amended by the Defense Production Act amendments of 1951.

The District Director of the Office of Price Stabilization gave due consideration to the national effort to achieve the maximum production in furtherance of the objectives of the Defense Production Act of 1950 as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950 inclusive; and to all relevant factors of general applicability. The Director has consulted the industry involved to the fullest extent practicable and has given due consideration to its recommendation.

REGULATORY PROVISIONS

Sec.

Sec.
5. Application for ceiling prices.
6. Reporting Requirements.
7. Modification of ceiling prices.
8. Rounding of fractions.
9. Specified producer prices.
10. Parity adjustments for distributors and operators of retail stores.
11. Transfers of business or stock in trade.
12. Records.
13. Sales slips and receipts.
14. Reference to the General Ceiling Price Regulation.
15. Reference to definitions in SR 63.
16. Prohibitions.
17. Automatic revocation.

AUTHORITY: Sections 1 to 17 issued under Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this Area Milk Price Regulation does.* This Area Milk Price Regulation issued under the authority of Supplementary Regulation 63 to the General Ceiling Price Regulation provides specific dollars and cents ceiling prices for all milk products for fluid consumption sold and delivered in the Kenosha Milk Marketing Area.

SEC. 2. *Where this Area Milk Price Regulation applies.* The Kenosha Milk Marketing Area to which the provisions of this Area Milk Price Regulation are applicable, consists of the area bounded on the north by the Racine-Kenosha County Line, on the west by Federal Highway No. 41, on the south by the Wisconsin-Illinois State line, and on the east by Lake Michigan.

SEC. 3. *Sales and sellers covered by this Area Milk Price Regulation.* This Area Milk Price Regulation covers all sales and deliveries in the Kenosha Milk Marketing Area of milk products for fluid consumption by processors, distributors and operators of retail stores, excepting sales of packaged cottage, pot and baker's cheese by operators of retail stores. It also covers sales of milk products to be delivered to a purchaser located in the Kenosha Milk Marketing Area although the seller is located outside the area. The regulation does not, however, cover sales of milk products for fluid consumption to be delivered by the seller from a location within the Kenosha Milk Marketing Area to a purchaser located outside the area.

Sales of milk products delivered to a purchaser located outside of the Kenosha Milk Marketing Area are controlled either by the General Ceiling Price Regulation, without reference to Supplementary Regulation 63 and to this Area Milk Price Regulation, or by the Area Milk Price Regulation applicable to the particular place where delivery is made.

SEC. 4. *Ceiling prices for sales of milk products for fluid consumption by processors, distributors and operators of retail stores*—(a) *Home delivered, delivered wholesale and store carry-outs.* Your ceiling prices for the sale of any of the following listed milk products for fluid consumption in a designated container size delivered at wholesale, delivered to the ultimate consumer at his home, or sold by the operator of a retail store at his store to the ultimate consumer, are set forth in Table A below. "Delivered at wholesale" means delivered to the retail store or delivered to an institutional, commercial or industrial user.

TABLE A

Container size (in glass or paper) of listed milk product for fluid consumption	Ceiling price per item delivered at wholesale	Ceiling price per item home delivered or retail store carry-outs
Regular milk (3.5 to 3.7 percent butterfat):		
Quarts	$0.175	$0.20
Pints	.095	.11
½ pints	.055	.065
Golden Guernsey (4.4 percent butterfat):		
Quarts	.195	.22
Pints	.095	.11
½ pints	.055	.065
Homogenized VD (3.5 to 3.7 percent butterfat)		
Quarts	.185	.21
Pints	.095	.11
½ pints	.055	.065
½ gallons	.36	.40
Bulk milk: Gallons	gallon .695	"XXX"
Coffee cream, sour cream (20 percent butterfat):		
Quarts	.735	.825
Pints	.38	.44
½ pints	.19	.22
Certified milk: Quarts	XXX	1.24
Buttermilk:		
Quarts	.145	.17
Pints	.095	.11
½ pints	.055	.065
Creamed cottage cheese:		
12 ounce package	.18	1.20
5 pound carton	.895	1.095
Cottage cheese, dry:		
16 ounce package	.18	1.20
5 pound carton	.795	1.895
Chocolate drink:		
Quarts	.185	.21
Pints	.095	.11
½ pints	.055	.065
XX cream (35 percent butterfat):		
Quarts	1.225	1.325
Pints	.62	.68
½ pints	.31	.34
Acidophilus: Quarts	XXX	1.37
Cream (half and half):		
Quarts	.575	.615
Pints	.30	.33
Skimmed milk:		
Quarts	.095	.11
1 to 5 gallons, inclusive	gallon .24	XXX
6 or more gallons	gallon .19	XXX

[1] Home-delivered only.

(b) *Other Sales.* Your ceiling price for any item of a milk product for fluid consumption or for any type of sale (such as a sale f. o. b. processor's plant or a sale to a distributor) not covered by section 4 (a) of this regulation is your ceiling price for that sale determined under the provisions of the General Ceiling Price Regulation and in effect on the day immediately preceding the effective date of this Area Milk Price Regulation.

SEC. 5. *Application for ceiling prices.* If you cannot determine a ceiling price under the provisions of section 4, for the sale of any particular item of a milk product for fluid consumption, you must apply to the Milwaukee District Director of the Office of Price Stabilization, Milwaukee, Wisconsin, for the establishment of a ceiling price for sales by you of that item. The Director shall, as soon as possible after the receipt of the application or the receipt of such additional information as he may request, issue a letter order establishing a ceiling price for the sale of that product at the various levels of distribution (including retail) and specifying a producer price for raw milk and distributive prices for the item from which parity adjustments will be computed. You may not sell the milk product until the Director has issued a letter order establishing ceiling prices for the sale of the item.

An application, under the provisions of this section, shall contain the following information: the name and address of your company; the name, address and type of business of your most closely competitive seller; an explanation of why you are unable to determine your ceiling price under section 4; a description of the item you wish to price, its butterfat content, the type and size of container in which it will be sold and the class of purchaser to whom you intend to sell; the processing operation involved (if you are the processor of the item) in the production of the item; your net invoice cost of the commodity being priced (if you are a distributor or operator of a retail store) together with the names and addresses of your sources of supply and the function performed by them (e. g., processing, distributing, etc.); your proposed ceiling price to each class of customer and the method used by you to determine it; and the reason you believe the proposed price is in line with the level of ceiling prices otherwise established by this regulation and will not exceed the ceiling price your customers pay to their customary sources of supply.

After the establishment of a ceiling price under this section, you may increase and you must decrease such ceiling price by parity adjustments in conformity with sections 9 and 10 of this regulation. You shall compute your parity adjustments from the producer price (if you are a processor), or the appropriate distributive price (if you are a distributor or operator of a retail store), specified in the letter order.

SEC. 6. *Reporting Requirements*—(a) *Prices determined under Section 4 (b).* Within ten days after the effective date of this regulation or the first sale by you of a product priced under section 4 (b), whichever is later, you shall send by registered mail to the Milwaukee District Office of the Office of Price Stabilization, Milwaukee, Wisconsin, a report showing your ceiling prices established under section 4 (b).

(b) *Parity adjustment reports.* Within five days after the date on which a producer price incurred for your most current customary purchase of milk differs from the producer price specified in section 9 of this regulation, you shall, if you are a processor, deposit in the mail a registered letter to the Milwaukee District Director of the Office of Price Stabilization, Milwaukee, Wisconsin, giving the following information: (1) the producer price paid by you for your most current customary purchase of milk; (2) your ceiling price, as determined under section 4 or as established under section 5 of this regulation, for each item of a milk product for fluid consumption being sold by you; and (3) the adjusted ceiling price for each such item.

SEC. 7. *Modification of ceiling prices.* The District Director of the Milwaukee District Office of Price Stabilization, Milwaukee, Wisconsin, may at any time

request further information with respect to a ceiling price granted, reported or proposed under this regulation, or he may disapprove or revise any ceiling price granted, reported or proposed, to bring it in line with the level of existing prices otherwise established by this regulation and to effectuate the purposes of SR 63.

SEC. 8. *Rounding of fractions.* Fractions remaining after the computation of the ceiling price for the total number of units of any milk product being sold has been determined (and after giving effect to section 8 (b) of Supplementary Regulation 63) shall be dropped if less than one-half cent and may be increased to the next higher cent if one-half cent or more. If, however, you bill any purchaser for milk products for fluid consumption purchased during a month or other billing period, any fraction remaining after the computation of the ceiling price for the total number of units of all milk products for fluid consumption sold to that purchaser during the preceding month or other billing period has been determined shall be dropped if less than one-half cent and may be increased to the next higher cent if one-half cent or more.

SEC. 9. *Specified producer prices.* The prices set forth in this regulation for sales by processors are predicated upon a uniform producer paying price of $4.436 per hundredweight for 3.5 percent butterfat milk. As this uniform producer paying price increases and decreases, parity adjustments of ceiling prices for sales by processors must be made under section 8 (a) of Supplementary Regulation 63. In making price increases or decreases on products which contain either more or less than 3.5 percent butterfat, you must make appropriate allowance for the value of the butterfat and the skim milk in the product.

SEC. 10. *Parity adjustments for distributors and operators of retail stores.* This section applies to you if (a) you are a distributor of an item of a milk product for fluid consumption or an operator of a retail store who sells an item of a milk product for fluid consumption; (b) the cost to you of a current customary purchase of the milk item differs from the highest ceiling price established by section 4 (or 5) of this regulation for a purchase from a customary source of supply; and (c) the change in cost to you is due to the operation of the provisions of section 9 of this Area Milk Price Regulation relating to parity adjustments for processors.

In such case, on the first day following the effective change in your cost, you may increase and you must decrease your ceiling prices established by section 4 (or 5) of this regulation by the dollars and cents difference per item in these costs.

SEC. 11. *Transfers of business or stock in trade.* If the business, assets or stock in trade of a processor or distributor is sold or otherwise transferred after the effective date of this regulation, and the transferee carries on the business, or continues to deal in milk products for fluid consumption, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject under this Area Milk Price Regulation if no such sale or transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the sale or transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 12. *Records.* (a) With respect to milk products covered by this Area Milk Price Regulation, the provisions of Section 16 of the General Ceiling Price Regulation are hereby continued in effect, insofar as they apply to the preparation and preservation of "base period records" and such "current records" as were required to be made with reference to sales between January 26, 1951, and the effective date of this regulation.

(b) You shall prepare and preserve for the life of the Defense Production Act of 1950, as amended, and for two years thereafter, and keep available for examination by the Office of Price Stabilization all records showing, with respect to milk products covered by this Area Milk Price Regulation, prices and material and labor costs in the period January 1 to June 30, 1950, inclusive; also records showing costs, prices, and sales for the other applicable periods and dates referred to in Supplementary Regulation 63 to the General Ceiling Price Regulation.

SEC. 13. *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, receipt, or similar evidence of purchase, you shall continue to do so. Upon request from a purchaser, regardless of previous custom, you shall give the purchaser a receipt showing the date, your name and address, the name of each item sold, and the price received for it.

SEC. 14. *Reference to the General Ceiling Price Regulation.* Except insofar as inconsistent with the provisions of this Area Milk Price Regulation all sections of the General Ceiling Price Regulation as amended including, but not restricted to, sections 15, 16, 17 and 19, are incorporated in and made a part of this Area Milk Price Regulation as though fully recited herein.

SEC. 15. *Reference to definitions in Supplementary Regulation 63.* The terms used in this Area Milk Price Regulation carry the same meaning as the definitions of those terms contained in Supplementary Regulation 63 to the General Ceiling Price Regulation.

SEC. 16. *Prohibitions.* After the effective date of this Area Milk Price Regulation, regardless of any contract or other obligation, you shall not sell, and you shall not buy in the regular course of business or trade, any milk product for fluid consumption at a price exceeding the ceiling price established by this regulation.

SEC. 17. *Automatic revocation.* This Area Milk Price Regulation shall be automatically revoked on April 15, 1952, unless previously superseded by action of the District Director.

Effective date. This Area Milk Price Regulation under Supplementary Regulation 63 to the General Ceiling Price Regulation shall become effective February 26, 1952.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by Bureau of the Budget in accordance with the Federal Reports Act of 1942.

CLEM KALVELAGE,
District Director, Office of Price Stabilization, Milwaukee, Wis.

FEBRUARY 26, 1952.

[F. R. Doc. 52-2331; Filed, Feb. 26, 1952; 11:47 a. m.]

[General Overriding Regulation 9, Amdt. 15]

GOR 9—EXEMPTIONS OF CERTAIN INDUSTRIAL MATERIALS AND MANUFACTURED GOODS

TEMPORARY SUSPENSION OF APPLICATION OF CEILING PRICE REGULATIONS TO SALES OF CERTAIN NEW SHIPS BY SHIPBUILDERS AND TO REPAIR AND CONVERSION OF SHIPS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 15 to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment continues for 90 days the existing suspension of the application of ceiling price regulations to sales and deliveries by the builder of certain new ships and the repair and conversion of certain ships. The shipbuilding industry operates under conditions which raise many complex problems in the preparation of a regulation for the industry. Because many of these problems are still unresolved, it is necessary that the suspension be continued for an additional period of 90 days.

Before the issuance of this amendment consultation was had with various representatives of the shipbuilders industry and due consideration was given to their recommendations.

AMENDATORY PROVISIONS

1. Section 2 (b) (4) of General Overriding Regulation 9 is amended by deleting the words "until February 13, 1952," and substituting the words, "until May 13, 1952."

2. Section 2 (b) (5) is amended by deleting the words "until February 13, 1952," and substituting the words, "until May 13, 1952."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective as of February 13, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 25, 1952.

[F. R. Doc. 52-2276; Filed, Feb. 25, 1952; 2:26 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-2, Amdt. 2 of Feb. 26, 1952]

M-2—Rubber

This amendment is found necessary and appropriate to promote the national defense. It is issued pursuant to both the Defense Production Act of 1950, as amended, and the Rubber Act of 1948. In the formulation of this amendment consultation with industry representatives has been impossible because of the need for immediate action.

NPA Order M-2, as amended December 14, 1951 (16 F. R. 12653), and February 4, 1952 (17 F. R. 1127), is further amended in the following respect:

Section 7 (a) is amended by deleting the word "validated" which appears in the fourth line thereof.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment shall take effect February 26, 1952.

National Production Authority,
By John B. Olverson,
Recording Secretary.

[F. R. Doc. 52-2332; Filed, Feb. 26, 1952; 11:53 a. m.]

[NPA Order M-93, Revocation]

M-93—Starting, Lighting, and Ignition Electric Storage Batteries

Revocation

NPA Order M-93 (16 F. R. 12790) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-93, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective February 26, 1952.

National Production Authority,
By John B. Olverson,
Recording Secretary.

[F. R. Doc. 52-2333; Filed, Feb. 26, 1952; 11:54 a. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 2]

CR 2—Residential Credit Controls: Regulation Governing Processing and Approval of Exceptions and Terms for Areas Affected by Savannah River (S. C. and Ga.), Paducah (Ky.), and Reactor Testing Station (Idaho) Installations of the Atomic Energy Commission

The following amended regulation (HHFA Regulation CR 2, originally issued at 16 F. R. 2232, March 10, 1951, and last amended at 16 F. R. 11723, November 20, 1951) is issued pursuant to sections 601 through 605 and section 704 of Pub. Law 774, 81st Cong. (64 Stat. 813, 814, 815, 816), as amended, sections 501, 502, and 902 of Executive Order 10161, September 9, 1950 (15 F. R. 6106), sections 101, 102 and 611 of Pub. Law 139, 82nd Cong. (65 Stat. 293), paragraph 3 of Executive Order 10296, October 2, 1951 (16 F. R. 10103) and the approval and authorization of the Board of Governors of the Federal Reserve System of HHFA Regulation CR 1 (16 F. R. 3834, May 2, 1951):

General

Sec.

1. Statement of purpose.
2. What this regulation does.
3. Geographical areas affected.
4. Type of housing eligible; definition of family dwelling.
5. Programming by HHFA.

Housing To Be Held For Rent; AEC Programs

6. Who may apply for exception from credit restrictions.
7. Where and how to apply.
8. Standards for approving applications.
9. Beginning of construction; time limit and definition.
10. Rules and conditions applicable.
11. Certification by Atomic Energy Commission of persons eligible for occupancy.

Housing Built or Sold For Owner-Occupancy; AEC Programs

12. Certificates of eligibility for financing, pursuant to excepted credit terms, of owner-occupied housing.

Housing Credit Exceptions For Other Than AEC Programs

13. Housing for persons employed by, stationed at, or displaced from their homes by, installations of the Department of Defense.
14. Housing for persons employed by defense plants or agencies, other than AEC or Defense Department installations, or for persons engaged in defense-supporting service activities.

Authority: Sections 1 to 14 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. 2154. Interpret or apply secs. 601-605, 64 Stat. 812-814, as amended, secs. 101, 102, 611, Pub. Law 139, 82d Cong.; 50 U. S. C. App. 2131-2135, E. O. 10161, Sept. 9, 1950, 15 F. R. 6106; 3 CFR, 1950 Supp., E. O. 10296, Oct. 2, 1951, 16 F. R. 10103.

General

Section 1. *Statement of purpose.* In order to reduce serious inflationary pressures and to assist in limiting the volume of new residential construction to a level which can be maintained with the materials and labor available in the light of national defense requirements, restrictions on residential real estate credit (applicable where construction was started after noon of August 3, 1950) have been imposed, with the concurrence of the Housing and Home Finance Administrator, by Regulation X (Chapter XV of this title) issued by the Board of Governors of the Federal Reserve System (hereinafter called the "Board"). Related credit restrictions (applicable to both new and old residential property) are contained in regulations of the Federal Housing Commissioner and the Administrator of Veterans' Affairs. Actions restricting residential credit were taken under the authority of Title VI of the Defense Production Act of 1950, approved September 8, 1950, and amendments thereto and of Executive Order 10161, issued September 9, 1950. The Housing and Home Finance Administrator made surveys with respect to the housing needs within the areas affected by the Savannah River, Paducah (Kentucky), and Idaho Reactor Testing Station installations of the Atomic Energy Commission and designated such areas, with the concurrence of the Board and in accordance with section 6 (p) of such Regulation X (Chapter XV of this title) as areas in which exceptions from residential real estate credit restrictions were to be granted in order to help provide the housing needed to support the development and operation of the three installations. Such exceptions have been granted in accordance with this regulation.

In addition to the authority and actions referred to above, and pursuant to the provisions of Title I of the Defense Housing and Community Facilities and Services Act of 1951, approved September 1, 1951, and of Executive Order 10296, issued October 2, 1951, the Director of Defense Mobilization is authorized, upon a finding that certain conditions set forth in the Defense Housing and Community Facilities and Services Act of 1951 exist, to designate specified areas as critical defense housing areas for purposes of that act. Under such authority, the Director of Defense Mobilization has designated the areas affected by the Savannah River, Paducah (Kentucky) and Idaho Reactor Testing Station installations of the Atomic Energy Commission to be critical defense housing areas for purposes of that act. The Housing and Home Finance Administrator is also authorized under said Defense Housing and Community Facilities and Services Act of 1951 and under paragraph 3 of Executive Order 10296, upon such a finding and designation by the Director of Defense Mobilization, to suspend or relax residential real estate credit restrictions imposed under the authority of the Defense Production Act of 1950, as amended.

Residential credit controls in the three areas will continue to be administered by the Board with respect to real estate credit which is subject to said Regulation X and by the Federal Housing Administration and the Veterans' Administration, respectively, with respect to residential real estate credit assisted under the programs of those two agencies. However, such credit controls of the Board, the Federal Housing Administration and the Veterans' Administration are suspended or relaxed by those Agencies with respect to housing for which the Housing and Home Finance Administrator approves exceptions from credit restrictions.

It is the purpose of this regulation, issued by the Housing and Home Finance Administrator, to prescribe uniform conditions and procedures under which such exceptions from residential real estate credit restrictions are made available in order to assure that the housing for which such exceptions are granted (whether or not such housing is financed with Government assistance) will meet the needs of the persons

employed or stationed at the three installations and of certain other defense workers, military personnel and persons displaced from their homes by defense activities. This procedure for granting exceptions from credit restrictions is in addition to other programs of the Housing and Home Finance Agency designed to assist in meeting housing needs in critical defense housing areas.

The approval of an application under this regulation (or under Housing and Home Finance Agency regulation GR 3) is hereby required as a condition to the approval by the Federal Housing Administration of an application for mortgage insurance under the provisions of Title IX (National Defense Housing Insurance) of the National Housing Act, as amended. With respect to housing for which mortgage insurance assistance is provided under Title IX of the National Housing Act, as amended, all applicable requirements, conditions and restrictions imposed by or pursuant to this regulation are in addition to all applicable requirements, conditions and restrictions imposed by or pursuant to such Title IX.

SEC. 2. *What this regulation does.* This regulation prescribes, among other things, who may apply for an exception from residential credit restrictions in the areas of the Savannah River, Paducah, and Idaho Reactor Testing Station installations of the Atomic Energy Commission; the type of housing eligible; where and how to apply; the basis on which applications will be approved; the rules which applicants and their successors in interest must abide by with respect to holding and offering certain housing for rent to persons engaged in national defense activities and with respect to rents which may be charged; and the manner in which eligibility will be determined for the occupancy or purchase of housing for which exceptions from residential credit restrictions are granted.

SEC. 3. *Geographical areas affected.* The special exceptions from residential credit restrictions for areas affected by the Savannah River, Paducah, and Idaho Reactor Testing Station installations of the Atomic Energy Commission are authorized (except with respect to applications approved prior to November 20, 1951) only for housing located within the following geographical limits:

(a) Aiken, Barnwell and Allendale Counties in South Carolina and Richmond County in Georgia (affected by Savannah River installation);

(b) McCracken and Ballard Counties, and Magisterial Districts 5, 6, 7, and 8, including the city of Mayfield, in Graves County, Kentucky; Massac County in Illinois; and the township of Vienna, including Vienna City, in Johnson County, Illinois (affected by Paducah installation); and

(c) Butte County; Bingham County except the precincts of Sterling and Aberdeen 1 and 2; and Bonneville County except the precincts of Poplar, Antelope, Ozone, Palisade, Grays, Blowout, and Jackknife (affected by Idaho Reactor Testing Station installation).

SEC. 4. *Type of housing eligible; definition of family dwelling.* The special exceptions from residential credit restrictions under this regulation are authorized only for family dwellings which are suitable and intended for year-round occupancy. A family dwelling, for purposes of this regulation, means a house or apartment designed for residential occupancy by two or more persons and which contains kitchen facilities or space designed for kitchen facilities. It does not include hotels, motels, rooming houses, clubhouses, fraternity or sorority houses, dormitories, or any other structure designed or used either for transient accommodations or for occupancy by single persons or by nonfamily groups. Only real property containing a single-family or two-family structure may be financed pursuant to the exceptions governing sales-type housing referred to in sections 12, 13 (c) and 14 (c) of this regulation. Housing to be held for rent, and to be financed pursuant to the exceptions governing rental housing set out in sections 6 through 11, 13 (b) and 14 (b) of this regulation, may consist of a single-family home or single-family homes (whether detached, semi-detached, or row houses), two-family structures, or structures containing three or more family dwelling units.

SEC. 5. *Programming by HHFA.* Exceptions from residential real estate credit restrictions for the areas specified in section 3 of this regulation are based on housing market field surveys by the HHFA, and such exceptions will be approved in accordance with area program schedules of housing needed as determined by the HHFA from time to time. Detailed area programs announced for each of the three areas relate to the location of the housing within the area, the number and types of rental or sales units required, the size (by number of bedrooms) of such units, the levels of rentals or sales prices which must be achieved if the housing is to meet the needs of the persons for whom it is intended, and similar factors. Each area program is published in the FEDERAL REGISTER and is on file in the appropriate local or regional office of the HHFA. Exceptions from credit restrictions will be approved on a selective basis pursuant to the procedures, standards and conditions set out below.

HOUSING TO BE HELD FOR RENT; AEC PROGRAMS

SEC. 6. *Who may apply for exception from credit restrictions.* With respect to housing programmed by the Housing and Home Finance Administrator for rental occupancy, application for a special defense exception from residential credit restrictions may be made only by a person (including a corporation, partnership, trust, or other legal entity) who is the owner of, or otherwise has effective control over, the land on which there is proposed to be erected a new family dwelling or dwellings which will be held for rental to eligible occupants as prescribed below. Effective control over the land for the purposes of this section, includes control through ownership, a firm contract to purchase, an option to purchase which may be exercised at the will of the applicant, or a long-term lease for a term of not less than 50 years.

SEC. 7. *Where and how to apply.* Application for an exception from credit restrictions with respect to housing to be held for rental should be made (unless another office is indicated in the area program) to the appropriate local office of the Housing and Home Finance Agency at Aiken, South Carolina, Paducah, Kentucky, or Idaho Falls, Idaho, on HHFA Form No. H–1051. An original and three signed copies of the application form must be submitted for each application. Each application must contain a statement that the applicant has a commitment or other assurance in writing from a lending institution or other lender that such lender intends, if the application is approved, to provide the financing for the residential property, including the proposed improvements, described in the application. If the application is approved, two copies of the application form will be returned to the applicant endorsed to indicate that an exception from the credit restrictions has been approved. One of these copies must be submitted to the lending institution or other lender making the loan. Such lender need not be the proposed lender referred to in the application. The applicant will also be notified if the application is rejected. Unless otherwise specifically approved in writing by the Housing and Home Finance Agency, the approved application (HHFA Form No. H–1051) is not transferable or assignable.

SEC. 8. *Standards for approving applications.* As among applications otherwise eligible for approval under the terms of this regulation, applications made under section 6 through 11 of this regulation will be approved by the Housing and Home Finance Agency for dwelling units within a total number consistent with the area programs adopted from time to time pursuant to section 5 of this regulation. Applications will be approved on the basis of achieving a maximum contribution toward filling the needs for rental housing of persons employed or stationed at the defense installations which the proposed housing is intended to serve. For this purpose, the Housing and Home Finance Agency may consider, in approving applications, any or all of the following factors and circumstances:

(a) The proximity of the site of the proposed housing to the defense installations, and the desirability of the site with respect to transportation, commercial and community facilities and services, utilities, street improvements and similar relevant factors;

(b) The rentals proposed to be charged, the size of units in terms of the number of rooms and bedrooms proposed to be provided, and the relationship between the accommodations proposed and the proposed rentals;

(c) The capacity of the applicant to perform the undertaking for which he applies; and

(d) The order in which applications are filed.

SEC. 9. *Beginning of construction; time limit and definition.* When an application for an exception from credit restrictions is approved under sections 6 through 11 of this regulation, construction of the housing described in the application should be begun not later than sixty calendar days after the date of the approval, and should be continued with reasonable diligence thereafter. Unless construction is begun within such sixty-day period and is so continued the approval automatically expires and becomes null and void. For the purposes of sections 6 through 10 of this regulation, construction shall be deemed to be begun when any essential materials which are to be an integral part of the structure have been incorporated into the site in a permanent form (for example, when footings or other foundations have been poured or placed). Applicants are required to furnish, with respect to units for which an application is approved under this regulation, such information concerning the beginning, progress, and completion of construction as may be requested by the Government.

SEC. 10. *Rules and conditions applicable.* (a) In the event that an application for an exception from credit restrictions is approved by the Housing and Home Finance Agency pursuant to sections 6 through 11 of this regulation, the applicant is hereby required to notify the Housing and Home Finance Agency in writing when the construction of the dwelling unit or units described in the application is begun, and when such dwelling units are completed. The applicant is also hereby required for a period of two years after their completion in the case of structures containing one- or two-family dwelling units, and a period of four years after their completion in the case of structures containing three or more family dwelling units (unless the applicable period is sooner terminated by the Housing and Home Finance Administrator), to:

(1) Notify the Atomic Energy Commission installation which the housing is intended to serve, in writing (i) when any such dwelling unit is completed and (ii) whenever any such dwelling unit is vacated by its occupant;

(2) Publicly offer any such dwelling unit for rent, for a period of at least thirty calendar days after the Atomic Energy Commission has been given any notification with respect to such unit required by subparagraph (1) of this paragraph, to such persons, and only to such persons, as are certified by the Atomic Energy Commission to be eligible to rent such unit, unless the unit has already been rented to such a person;

(3) Charge not more than the rent or rents and utility and service charges specified in the approved application or not more than such higher rents and utility and service charges as the Housing and Home Finance Administrator or his designee shall have approved on the basis of hardship to the applicant or subsequent owner;

(4) Hold the dwelling unit or units for rent unless (i) the property is being sold to a purchaser for investment purposes rather than for his own occupancy, or (ii) prior permission to sell is granted in writing by the Housing and Home Finance Agency, or (iii) a period of at least sixty calendar days has elapsed after the Atomic Energy Commission has been given any notification required by subparagraph (1) of this paragraph and the Commission has failed to certify a person who is willing to rent and public offering has not produced a tenant;

(5) Comply with any agreements or conditions made a part of the application, HHFA Form No. H-1051, as approved; and

(6) Require that the purchaser, if the property is sold pursuant to subdivision (i) of subparagraph (4) of this paragraph, agree in writing to abide by all the provisions and conditions set forth in this regulation, including this paragraph, which shall be applicable to all successive sales pursuant to said subdivision (i) of subparagraph (4) of this paragraph made by the first and all successive purchasers for investment purposes.

For the purposes of this section, a dwelling shall be deemed to be completed when, in conformity with general practice in the community, it is ready for occupancy.

Any written notification required to be given by this section shall be deemed to be given as of the date it is received by the Atomic Energy Commission installation or the Housing and Home Finance Agency (whichever is appropriate under this regulation) or, if mailed, as of the date it is postmarked.

(b) No purchaser of property for investment purposes (pursuant to paragraph (a) (4) (i) of this section) shall occupy a dwelling unit in such property unless it contains two or more family dwelling units and such purchaser has himself been certified by the Atomic Energy Commission as eligible for occupancy of a dwelling (see section 11 of this regulation) or unless such occupancy is pursuant to paragraph (c) of this section.

(c) Notwithstanding any provision of this section, if a parcel of real property contains five or more family dwelling units required to be held for rent under sections 6 through 10 of this regulation, the owner of such parcel, or a person actually employed as a resident manager or janitor of such dwelling units, may occupy one of such units. Two such units may be occupied by such owners, resident managers, or janitors if the property required to be held for rent pursuant to such sections contains not less than 20 family dwelling units, and an additional unit may be so occupied for every additional 30 family dwelling units above 20.

(d) Sales in the course of judicial or statutory proceedings are not subject to the provisions of this section.

(e) All requirements, conditions and restrictions with respect to holding for rent, rental charges and utility charges imposed by or pursuant to this regulation are in addition to any applicable requirements, conditions and restrictions which may, under certain circumstances, be imposed with respect to the same housing by or pursuant to the Housing and Rent Act of 1947, as amended, or the National Housing Act, as amended. (Note that rental ceilings approved under this regulation are based primarily on market surveys of needs of eligible defense workers for housing classified by number of rooms and approximate rental rather than on detailed plans and specifications of the housing to be constructed. Rental limitations which may be imposed under certain circumstances by the Office of Rent Stabilization or the Federal Housing Administration are based primarily on the actual accommodations provided or to be provided. Therefore rental limitations imposed under this regulation may, in individual cases, be higher or lower than rental limitations imposed under other legal authority. In such event, persons affected by more than one rental limitation or requirement governing the same dwelling unit must comply with whichever one is more restrictive.)

(f) Notwithstanding the requirements in section 10 of this regulation, as in effect on any earlier date, imposing certain obligations for a five year period, any person affected by such five-year requirement or by like requirements in any form, certificate, or agreement entered into under this regulation need comply with such obligations only during the two- or four-year period, as the case may be, presently prescribed in paragraph (a) of this section for the type of structure involved.

SEC. 11. *Certification by Atomic Energy Commission of persons eligible for occupancy.* The Atomic Energy Commission or any officer or employee of said Commission designated by it, (hereinafter collectively referred to as the "Commission") is hereby authorized to certify (by the issuance of appropriate certificates of tenancy eligibility) persons who shall be eligible to rent housing for which an exception from credit restrictions has been approved by the Housing and Home Finance Agency pursuant to sections 6 through 11 of this regulation. Such certificates of tenancy eligibility (which will not exceed the number authorized by the HHFA) shall be granted only to (a) persons (including, for purposes of sections 6 through 11 of this regulation, Atomic Energy Commission contractors on behalf of such persons) whom the Commission determines to be essential, in-migrant personnel employed or to be employed by the Atomic Energy Commission or its contractors (or stationed at an installation of said Commission) and who are in need of family dwellings and (b) persons who are in need of family dwellings and who have been or are about to be displaced from their homes (whether owned or rented by them) as a result of the acquisition (by purchase or condemnation) of land in one of the three areas described in section 3 of this regulation for an installation of the Atomic Energy Commission or its contractors. The Commission is authorized to prescribe such further requirements for, or conditions to, the issuance of certificates of tenancy eligibility (including conditions

governing the expiration or cancellation of such certificates) as it shall determine to be reasonable and in the interest of national defense.

HOUSING BUILT OR SOLD FOR OWNER-OCCUPANCY; AEC PROGRAMS

SEC. 12. *Certificates of eligibility for financing, pursuant to excepted credit terms, of owner-occupied housing.* (a) The Atomic Energy Commission or any officer or employee of the Commission designated by it (herein collectively referred to as the "Commission") is hereby authorized to certify (by the issuance of appropriate certificates of ownership eligibility) persons who shall be eligible to finance the construction or purchase of family dwellings for their own occupancy under suspended or relaxed residential credit terms made available for the Savannah River, Paducah, and Idaho Reactor Testing Station areas by the Board of Governors of the Federal Reserve System, the Federal Housing Commissioner and the Administrator of Veterans' Affairs. Such certificates of ownership eligibility shall be issued only for one- and two-family dwelling properties (whether existing or to be built) located in the three areas described in section 3 of this regulation and shall be issued in accordance with program schedules for sales-type houses prescribed by the Housing and Home Finance Administrator from time to time pursuant to section 5 of this regulation. Such certificates (which will not exceed the number authorized by the HHFA) shall be granted by the Commission only to (1) persons whom the Commission determines to be essential, in-migrant personnel employed (or to be employed) in permanent positions by the Commission or its contractors and (2) persons who have been or are about to be displaced from their homes (whether owned or rented by them) as a result of the acquisition (by purchase or condemnation) of land in one of the three areas described in section 3 of this regulation for an installation of the Atomic Energy Commission or its contractors. No person shall be eligible to receive such a certificate unless he is in need of a family dwelling and has declared his intention to occupy at least one family dwelling unit in the property, the construction or purchase of which is financed pursuant to such a certificate of ownership eligibility.

(b) The Commission is authorized to prescribe such further requirements for, or conditions to, the issuance of certificates of ownership eligibility (including conditions governing the expiration or cancellation of such certificates) as it shall determine to be reasonable and in the interest of national defense.

(c) A lending institution or other lender making a loan under relaxed or suspended residential credit terms pursuant to an exception granted under this section 12 of this regulation shall obtain from the borrower the certificate of ownership eligibility issued to such borrower by the Atomic Energy Commission.

HOUSING CREDIT EXCEPTIONS FOR OTHER THAN AEC PROGRAMS

SEC. 13. *Housing for persons employed by, stationed at, or displaced from their homes by, installations of the Department of Defense*—(a) *General.* In addition to the exceptions from credit restrictions authorized above, exceptions from residential real estate credit restrictions will be granted by the Housing and Home Finance Agency in accordance with the provisions of this section 13 in order to assist the provision of housing needed for in-migrant defense workers and military personnel employed by or stationed at defense plants or defense installations of the Department of Defense which appear on a defense activity list and for certain persons displaced from their homes by the acquisition of land for such plants or installations. Such plants or installations appearing on a defense activity list are hereinafter referred to as "listed Defense Department installations". A "defense activity list", as used in this regulation, means a list of defense installations or activities which appears in the area program referred to in section 5 of this regulation. The credit exceptions authorized under this section are applicable only to housing which is located within the geographical limits specified in section 3 of this regulation.

(b) *Rental housing.* With respect to housing to be held for rent for which a credit exception is authorized under this section 13, sections 6 through 10 of this regulation shall be controlling except that, with respect to such housing, any reference in sections 6 through 10 to applications made or approved under or pursuant to sections 6 through 11 of this regulation shall be deemed to be a reference to applications made or approved under or pursuant to this section; any reference in sections 6 through 10 to the Atomic Energy Commission (or an AEC installation) shall be deemed to be a reference to the Department of Defense; and any reference in sections 6 through 10 to the giving of notice to the Atomic Energy Commission (or an AEC installation) shall be deemed to be a reference to the giving of notice to the defense agency or office, the name and address of which appears at Part III, item 2, of the approved application form (HHFA Form No. H–1051). The Department of Defense (including, for purposes of this section, any officer or employee designated by it) is hereby authorized to certify, by the issuance of appropriate certificates of tenancy eligibility within the number authorized by the Housing and Home Finance Agency, persons who shall be eligible to rent housing for which an exception from credit restrictions has been approved by the Housing and Home Finance Agency pursuant to this section. Such certificates of tenancy eligibility shall be granted only to (1) persons whom the Department of Defense determines to be military personnel stationed at, or essential in-migrant defense workers employed by, a listed Defense Department installation and who are in need of family dwellings and (2) persons who are in need of family dwellings and who have been or are about to be displaced from their homes (whether owned or rented by them) as a result of the acquisition on or after November 1, 1950 (by purchase or condemnation) of land in one of the three areas described in section 3 of this regulation for such a listed Defense Department installation. The Department of Defense is authorized to prescribe such further requirements for, or conditions to, the issuance by it of certificates of tenancy eligibility (including conditions governing the expiration or cancellation of such certificates) as it shall determine to be reasonable and in the interest of national defense.

(c) *Owner-occupied housing.* With respect to housing built or sold for owner-occupancy, the Department of Defense is hereby authorized to certify, by the issuance of appropriate certificates of ownership eligibility within the number authorized by the Housing and Home Finance Agency, persons who shall be eligible to finance the construction or purchase of family dwellings for their own occupancy under suspended or relaxed residential credit terms announced for the three areas referred to in section 3 of this regulation. Such certificates of ownership eligibility shall be issued only for one- and two-family dwelling properties (whether existing or to be built) located in the three areas and shall be issued in accordance with program schedules for sales-type housing prescribed by the Housing and Home Finance Administrator from time to time pursuant to section 5 of this regulation. Such certificates of ownership eligibility shall be granted only to (1) persons whom the Department of Defense determines to be military personnel stationed at, or essential in-migrant defense workers employed by, a listed Defense Department installation and (2) persons who have been or are about to be displaced from their homes (whether owned or rented by them) as a result of the acquisition on or after November 1, 1950 (by purchase or condemnation) of land in one of the three areas described in section 3 of this regulation for such a listed Defense Department installation. No person shall be eligible to receive such a certificate unless he is in need of a family dwelling and has declared his intention to occupy at least one family dwelling unit in the property, the construction or purchase of which is financed pursuant to such a certificate of ownership eligibility.

The Department of Defense is authorized to prescribe such further requirements for, or conditions to, the issuance by it of certificates of ownership eligibility (including conditions governing the expiration or cancellation of such certificates) as it shall determine to be reasonable and in the interest of national defense.

A lending institution or other lender making a loan under relaxed or suspended residential credit terms pursuant to this section shall, in the case of a borrower eligible for a credit exception under this paragraph (c) obtain from the borrower the certificate of ownership eligibility issued to him by the Department of Defense.

SEC. 14. *Housing for persons employed by defense plants or agencies, other than AEC or Defense Department installations, or for persons engaged in defense-supporting service activities*—(a) *Gen-*

eral. In addition to the exceptions from credit restrictions authorized above, exceptions from residential real estate credit restrictions will be granted by the Housing and Home Finance Agency in accordance with the provisions of this section in order to assist the provision of housing which is located within the geographical limits specified in section 3 of this regulation and which is to serve persons in need of family dwellings who are (1) essential, in-migrant employees of defense plants, agencies or installation, other than installations of the Atomic Energy Commission or the Department of Defense, which appear on such a defense activity list, as that term is defined in section 13 of this regulation, or (2) in-migrant persons engaged in defense-supporting service activities which appear on a defense activity list. A "defense-supporting service activity", as used in this regulation, means any activity (other than activities of defense plants, agencies or installations referred to in numbered clause (1) of the preceding sentence) which is directly or indirectly concerned with activities of the Atomic Energy Commission or the Department of Defense and which is essential to the efficient operation of installations of such Commission or Department. Defense-supporting service activities may include such activities as police and fire protection, health and educational activities, and the furnishing of transportation and communication services and other public utility services, including installation, operation, and maintenance necessary for such services. An "in-migrant" employee or other person, as used in this section, is a person (1) whose residence is beyond reasonable practicable commuting distance from his place of work or (2) who has since November 1, 1950 (or such other date as may be announced for the area) brought or moved his family from beyond reasonable practicable commuting distance from his place of work. As used herein, "reasonable practicable commuting distance" means a distance within which it is possible to commute daily to the place of work by established common carrier or by private transportation at a cost per person of not more than $1.00 per round trip and with normal traveling time of not more than two hours per round trip, unless another cost or time shall have been announced for the particular area.

(b) *Rental housing.* With respect to housing to be held for rent for which a credit exception is authorized under this section, sections 6 through 10 of this regulation shall be controlling except that, with respect to such housing, any reference in sections 6 through 10 to applications made or approved under or pursuant to sections 6 through 11 of this regulation shall be deemed to be a reference to applications made or approved under or pursuant to this section 14; any reference in sections 6 through 10 to the Atomic Energy Commission (or an AEC installation) shall be deemed to be a reference to the local or regional office or representative of the Housing and Home Finance Agency, the name and address of which appears at Part III, item 2, of the approved application form (HHFA Form No. H-1051); and any reference in sections 6 through 10 to the giving of notice to the Atomic Energy Commission (or an AEC installation) shall be deemed to be a reference to the giving of notice to such local or regional office or representative.

NOTE: The notification required by clause (1) (i) of paragraph (a) of section 10 of this regulation when a dwelling unit is completed shall, with respect to housing for which a credit exception is approved under this paragraph, be satisfied by complying with the similar requirement contained in the first sentence of such paragraph (a) of section 10.

The local or regional offices or representatives of the Housing and Home Finance Agency will certify, by the issuance of certificates of tenancy eligibility, persons who shall be eligible to rent houses for which an exception from credit restrictions has been approved pursuant to this section. Such certificates of tenancy eligibility will be issued only to persons who are found by the Housing and Home Finance Agency to be eligible in accordance with the standards set out in paragraph (a) of this section. The number of such certificates which will be issued will be limited to the number of available rental housing units for which credit exceptions were authorized under this section in accordance with the area program referred to in section 5 of this regulation. Any person who is eligible for occupancy of rental housing under the standards set out in paragraph (a) of this section may apply for a certificate of tenancy eligibility to the local or regional office or representative of the Housing and Home Finance Agency for the particular area.

NOTE: No person is eligible for such a certificate unless his employer, or the defense-supporting service activity in which the applicant is engaged, appears on a defense activity list included in the area program announced for the area.

Each person receiving such a certificate of tenancy eligibility is required to comply with all applicable provisions of this regulation and is hereby also required to comply with such conditions and provisions governing the use, expiration and cancellation of such certificate received by him as may appear thereon.

(c) *Owner-occupied housing.* With respect to housing built or sold for owner occupancy, the local or regional office or representative of the Housing and Home Finance Agency will certify, by the issuance of certificates of ownership eligibility, persons who shall be eligible to finance the construction or purchase of family dwellings for their own occupancy under suspended or relaxed residential credit terms announced for the three areas referred to in section 3 of this regulation. Such certificates of ownership eligibility will be issued only for one- and two-family dwelling properties (whether existing or to be built) located in the three areas and will be issued in limited numbers in accordance with program schedules for sales-type housing prescribed by the Housing and Home Finance Administrator from time to time pursuant to section 5 of this regulation. Such certificates of ownership eligibility will be issued only to persons who are found by the Housing and Home Finance Agency to be eligible for occupancy in accordance with the standards set out in paragraph (a) of this section. Any person who is eligible for the acquisition of housing under the standards set out in paragraph (a) of this section may apply for a certificate of ownership eligibility to the local or regional office or representative of the Housing and Home Finance Agency for the particular area.

NOTE: No person is eligible for such a certificate unless his employer, or the defense-supporting service activity in which the applicant is engaged, appears on a defense activity list included in the area program announced for the area.

Each person applying for such a certificate of ownership eligibility is required to declare his intention to occupy at least one family dwelling unit in the property, the construction or purchase of which is financed pursuant to such a certificate. Each person receiving a certificate of ownership eligibility is required to comply with all applicable provisions of this regulation and is hereby also required to comply with such conditions and provisions governing the use, expiration and cancellation of such certificate received by him as may appear thereon.

A lending institution or other lender making a loan under relaxed or suspended residential credit terms pursuant to this section 14 shall, in the case of a borrower eligible for a credit exception under this paragraph (c), obtain from the borrower the certificate of ownership eligibility issued to him by the Housing and Home Finance Agency.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation, as herein amended, is effective as of the 27th day of February 1952.

[SEAL] RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 52-2250; Filed, Feb. 26, 1952; 8:52 a. m.]

[CR 3, Amdt. 6 to Appendix]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATION GOVERNING PROCESS AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

APP.—CRITICAL DEFENSE HOUSING AREAS

This amendment 6 amends the Appendix to CR 3 initially published in the FEDERAL REGISTER November 20, 1951 (16 F. R. 11731) and last amended by Amendment 5 published February 14, 1952 (17 F. R. 1425) as follows:

1. The geographical descriptions of critical defense housing area numbered 65 and designated as Camp Stewart, Georgia, is amended to read as follows:

65. Camp Stewart, Georgia, Area. (Long, Liberty, Tattnall, and Wayne Counties.)

2. The Appendix to CR 3 is further amended by adding the following additional critical defense housing area to the areas already designated under CR 3:

Area, Inluding Geographical Description and Date Designated

143. Altus, Oklahoma, Area. (All of Jackson County) February 27, 1952.

[SEAL] RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 52-2249; Filed, Feb. 26, 1952; 8:52 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter V—War Claims Commission

Subchapter B—Receipt, Adjudication and Payment of Claims

PART 505—FILING OF CLAIMS AND PROCEDURES THEREFOR

RECEIPT OF CLAIMS

Section 505.7 (16 F. R. 1510) is hereby amended to read as follows:

§ 505.7 *Receipt of claims*—(a) *Claims deemed received.* A claim shall be deemed to have been received by the Commission on the date postmarked, if mailed, or if delivery is made in person, on the date when delivered, either at the office of the Commission in Washington, D. C., at any field office thereof, or with any person or agency authorized by the Commission to receive claims on its behalf.

(b) *Claims developed.* In the event a claim has been so prepared as to preclude adjudication thereof, the Commission shall request the claimant to furnish whatever supplemental evidence, including the completion and execution of appropriate official form, as may be essential to the adjudication thereof. Such evidence or official form, when received, shall be deemed to be evidence to supplement the initial application. If the evidence or official form requested is not received promptly a second request shall be mailed to the claimant. If the evidence is not then received within 30 days of the second request the claim shall be deemed to have been abandoned and be disallowed.

(c) *Failure to note change of address.* If any communication mailed to the claimant at the latest address furnished to the Commission is returned unclaimed, the claim may be disallowed for failure of the claimant to keep the Commission informed of current address. Such claims shall thereupon be sent to the closed files.

(Sec. 2, 62 Stat. 1240; 50 U. S. C. App. Sup. 2001)

DANIEL F. CLEARY,
Chairman,
War Claims Commission.

[F. R. Doc. 52-2241; Filed, Feb. 26, 1952; 8:51 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Docket No. 3666; Order 4]

PARTS 71–78—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

MISCELLANEOUS AMENDMENTS

EDITORIAL NOTE: In F. R. Doc. 52-2044, appearing at page 1558 of the issue for Wednesday, February 20, 1952, the following additions should be made:

1. On page 1564, the heading "§ 78.83–3 *Composition.* * * *" should be inserted immediately following the heading for § 78.83.

2. On page 1565, the heading "§ 78.-223–3 *Capacity and weight.* * * *" should be inserted immediately following the heading for § 78.223.

Subchapter A—General Rules and Regulations

[S. O. 877, Amdt. 3]

PART 97—ROUTING OF TRAFFIC

REROUTING

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of February A. D. 1952.

Upon further consideration of the provisions of Service Order No. 877 (16 F. R. 4940, 8583, 8681, 12097), and good causes appearing therefor: *It is ordered,* That:

Section 97.877 *Rerouting of traffic* of Service Order No. 877, be, and it is hereby, amended by substituting the following paragraph (g) hereof for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m., May 31, 1952, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That this amendment shall become effective at 11:59 p. m., February 29, 1952, that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-2231; Filed, Feb. 26, 1952; 8:48 a. m.]

Subchapter B—Carriers by Motor Vehicle

[Ex Parte MC-37]

PART 170—COMMERCIAL ZONES AND TERMINAL AREAS

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 11th day of February A. D. 1952.

Sections 202 (c) of the Interstate Commerce Act (49 U. S. C. 302 (c)) and the transportation of passengers and property by motor vehicle, in interstate or foreign commerce, wholly within a municipality, or within a zone adjacent to, and commercially a part of, any such municipality, being under consideration, and good cause appearing therefor:

It is ordered, That the order entered in this proceeding on July 20, 1948 promulgating §§ 170.40 to 170.43 inclusive (13 F. R. 4446) is hereby vacated and set aside and the following revision is hereby substituted in lieu thereof:

§ 170.35 *Operating authority for a particular municipality.* A certificate or permit issued by the Commission to any motor carrier pursuant to the provisions of Part II of the Interstate Commerce Act or to any freight forwarder under Part IV of the act, authorizing service at a particular municipality, shall be construed as authorizing service at all points or places which are within the commercial zone of that municipality as defined by the Commission and not beyond the territorial limits, if any, fixed in such certificate or permit on the authority granted except that this finding shall not apply in the case of a certificate or permit authorizing service by a motor carrier or freight forwarder at any municipality at which the commercial zone exemption provided by section 203 (b) (8) of the act has been removed in whole or in part by this Commission.

§ 170.37 *Operating authority for a particular municipality at which zone exemption has been removed.* A certificate or permit issued by the Commission to any motor carrier pursuant to the provisions of Part II of the Interstate Commerce Act or to any freight forwarder under Part IV of the act, authorizing service at a particular municipality, at which the commercial zone exemption, provided by section 203 (b) (8) of the act, has heretofore been removed, or is hereafter removed if such removal takes place prior to issuance of said certificate or permit, shall be construed as authorizing service at all places within such municipality and also at all points (not beyond the territorial limits, if any, fixed in such certificate or permit on the authority granted) within the zone within which, and to the same extent to which, local operations may still be conducted under the exemption provided by section 203 (b) (8) of the act: *Provided however,* That this finding shall not apply to certificates or permits authorizing a motor carrier to serve any municipality in Los Angeles County, Calif., New York, N. Y., or any municipality in Westchester or Nassau Counties, N. Y., or any municipality in New Jersey any part of which is within 5 miles of New York City.

§ 170.41 *Operating authority for service at a particular unincorporated community.* A certificate or permit issued to a motor carrier pursuant to the provisions of Part II of the Interstate Commerce Act (49 U. S. C. 301 et seq.) or to any freight forwarder under Part IV of the act (49 U. S. C. 1001 et seq.) author-

izing service at a particular unincorporated community having a post office of the same name shall be construed as authorizing service at all points which are within the United States and not beyond the territorial limits, if any, fixed in such certificate or permit on the authority granted, as follows: (a) All points within 2½ miles of the post office in such unincorporated community if it has a population of less than 2,500, within 4 miles if it has a population of 2,500 but less than 25,000, and within 5½ miles if it has a population of 25,000 or more; (b) at all points in any municipality any part of which is within the limits described in paragraph (a) of this section, and (c) at points in any municipality wholly surrounded, or so surrounded except for a water boundary, by any municipality included under the terms of paragraph (b) of this section.

§ 170.45 *Terminal areas of motor carriers and freight forwarders at municipalities served.* The terminal area within the meaning of section 202 (c) of the Interstate Commerce Act (49 U. S. C. 302 (c)) of any motor carrier subject to Part II or of any freight forwarder subject to Part IV thereof, at any municipality authorized to be served by such motor carrier or freight forwarder, within which transportation by motor vehicle in the performance of transfer, collection, or delivery services may be performed by, or for, such motor carrier or freight forwarder without compliance with the provisions, other than those in section 204 (49 U. S. C. 304) relative to qualifications and maximum hours of service of employees and safety of operation and equipment, of Part II of the act consists of and includes all points or places which are (a) within the commercial zone, as defined by this Commission, of that municipality, and (b) not beyond the limits of the operating authority of such motor carrier or freight forwarder.

§ 170.48 *Terminal areas of motor carriers and freight forwarders at unincorporated communities served.* The terminal area within the meaning of section 202 (c) of the Interstate Commerce Act (49 U. S. C. 302 (c)) of any motor carrier subject to Part II (49 U. S. C. 301 et seq.) or any freight forwarder subject to Part IV thereof (49 U. S. C. 1001 et seq.), at any unincorporated community having a post office of the same name which is authorized to be served by such motor carrier or freight forwarder, within which transportation by motor vehicle in the performance of transfer, collection, or delivery services may be performed by, or for, such motor carrier or freight forwarder without compliance with the provisions, other than those in section 204 (49 U. S. C. 304) relating to qualifications and maximum hours of service of employees and safety of operation and equipment, of Part II of the act, consists of (a) all points or places in the United States which are located within the limits of the operating authority of the motor carrier or freight forwarder involved, and within 2½ miles of the post office at such authorized unincorporated point if it has a population less than 2,500, within 4 miles if it has a population of 2,500 but less than 25,000, or within 5½ miles if it has a population of 25,000 or more; (b) all of any municipality any part of which is included under paragraph (a) of this section; and (c) any municipality wholly surrounded by any municipality included under paragraph (b) of this section, or so wholly surrounded except for a water boundary.

NOTE: In the application of the foregoing §§ 170.35, 170.37, 170.41, 170.45 and 170.48, distances and population data shall be determined in the same manner as provided in § 170.17.

It is further ordered, That this order shall become effective April 15, 1952, and shall remain in effect until modified or revoked in whole or in part by further order of the Commission.

Notice of this order shall be given to the general public by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the FEDERAL REGISTER.

(Sec. 204, 49 Stat. 546, as amended; 49 U. S. C. 304. Interpret or apply 49 Stat. 543, as amended; 49 U. S. C. 302)

By the Commission, Division 5.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2230; Filed, Feb. 26, 1952; 8:53 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

United States Coast Guard

[46 CFR Parts 29, 30 to 35, 38, 43, 50, 52, 55, 57, 58, 66 to 69, 77, 146, 147, 162]

[CGFR 52-13]

VESSEL INSPECTION REGULATIONS

PUBLIC HEARING ON PROPOSED CHANGES AND WITHDRAWALS OF CERTAIN APPROVALS OF EQUIPMENT

1. The Merchant Marine Council will hold a public hearing on Tuesday, March 25, 1952, commencing at 9:30 a. m., in Room 4120, Coast Guard Headquarters, Thirteenth and E Strets NW., Washington, D. C., for the purpose of receiving comments, views, and data on certain proposed changes in the vessel inspection regulations as generally described in Items I to XX, inclusive, below. After considering the proposed changes in regulations, the Merchant Marine Council will also consider the withdrawal of approvals of certain equipment which do not meet present Coast Guard requirements as described in Item XXI below.

2. The proposed changes in the regulations, together with the statutory authorities for making such changes, are generally described by subjects in paragraphs 6 to 47, inclusive. The Merchant Marine Council Semi-Annual Meeting Agenda (CG 249) has been prepared. This agenda contains the specific changes proposed and where possible the present and proposed regulations are set forth in comparison form, together with reasons for the changes where necessary. Comments on the proposed changes in the vessel inspection regulations are desired. Copies of this agenda have been mailed to persons and organizations who have expressed a continued interest in the subjects under consideration and have requested that copies be furnished them. Copies of the agenda will be furnished upon request to the Commandant (CMC), United States Coast Guard, Washington 25, D. C., so long as they are available. After the extra copies available for distribution are exhausted, copies will be available for reading purposes only in Room 4104, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

3. Comments on the proposed regulations are invited. All persons who desire to submit written comments, data, and views prior to the hearing for consideration in connection with the proposed changes may submit them in writing for receipt prior to March 24, 1952, by the Commandant (CMC), Coast Guard Headquarters, Washington 25, D. C., or comments, data, and views may be presented orally or in writing at the hearing. In order to insure consideration of comments and to facilitate checking and recording, it is essential that each comment regarding a proposed section of regulations shall be submitted on a separate sheet of paper showing the specific item and page number of the agenda, section number, the proposed change, the reason or basis (if any), and the name, business firm or organization (if any), and the address of the submitter. Comments, data, and views may also be presented orally or in writing at the public hearing in the same manner as for submission of written comments. At the public hearing the proposed revisions and amendments to the regulations will be considered in the order of the item numbers assigned to the various subjects under consideration.

4. On November 19, 1951, the fifteenth country deposited its ratification of the 1948 Convention for Safety of Life at Sea with the British Government. Therefore, the requirements contained in this Convention will come into force on November 19, 1952, insofar as the United States is concerned. The United States Coast Guard is one of the primary Governmental agencies concerned with the administration of the 1948 Convention for Safety of Life at Sea and the Commandant is charged with imple-

menting this Convention by promulgating necessary vessel inspection regulations to give force and effect to the Convention.

5. The style of presentation of the present vessel inspection regulations does not show readily the applicable requirements to passenger vessels, dry cargo vessels, and miscellaneous types of vessels in the merchant marine. The Administrative Procedure Act requires that regulations having future force and effect shall be published in such a manner that persons affected thereby will be able to understand the requirements applicable to them. The Revised Statutes containing the basic authority for vessel inspection regulations have been amended many times and other laws which supplement or complement the Revised Statutes, as well as many conventions and treaties ratified since 1872, have a direct bearing on the vessel inspection regulations. It is necessary that the format of the vessel inspection regulations applicable to certain types of vessels in the merchant marine be revised in order that those concerned or affected will be able to readily determine what regulations are applicable to them. Since it is necessary to revise many of the vessel inspection regulations in order to implement the 1948 Convention for Safety of Life at Sea, it is proposed to accomplish a revision of the format of the regulations, as well as a revision of the requirements at the same time. Because of the scope and extent of the changes necessary in the navigation and vessel inspection regulations only a part of the required changes will be considered at this public hearing. Another public hearing will be announced in the near future and a separate agenda containing the balance of the proposed regulations will be distributed at that time. The changes in the vessel inspection regulations which will be considered at this public hearing include certain changes to bring the regulations up to date, as well as regulations to implement the 1948 Convention for Safety of Life at Sea, as it applies to tank vessels.

ITEM I—INFLAMMABLE SOLIDS AND OXIDIZING MATERIALS; DANGEROUS CARGO REGULATIONS

6. It is proposed to amend 46 CFR 146.22–1 to 146.22–100, inclusive, regarding detailed regulations pertaining to inflammable solids and oxidizing materials, which are also published in the Coast Guard pamphlet entitled "Explosives or Other Dangerous Articles on Board Vessels" (CG 187). The proposed regulations will permit a number of new hazardous inflammable solids and oxidizing materials, which have become commercially important, to be shipped by water in increasing quantities. A number of new containers for inflammable solids and oxidizing materials will also be permitted by the proposed regulations. The proposed changes are in agreement with the regulations prescribed by the Interstate Commerce Commission. It is also proposed to renumber all the sections within this subpart in order to allow for future expansion in the regulations. Where these sections appear as references in other subparts in 46 CFR Part 146 they will be corrected accordingly.

7. The authority for regulations governing the transportation of inflammable solids and oxidizing materials is in R. S. 4405, 4472, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 170, and 50 U. S. C. App. 1275.

ITEM II—CORROSIVE LIQUIDS; DANGEROUS CARGO REGULATIONS

8. It is proposed to amend 46 CFR 146.23–1 to 146.23–100, inclusive, regarding detailed regulations pertaining to corrosive liquids, which are also published in the Coast Guard pamphlet entitled "Explosives or Other Dangerous Articles on Board Vessels" (CG 187). The proposed regulations will permit a number of new corrosive liquids, which have become commercially important, to be shipped by water in increasing quantities. A number of new containers for corrosive liquids will also be permitted by the proposed regulations. The proposed changes are in agreement with the regulations prescribed by the Interstate Commerce Commission. It is also proposed to renumber all the sections within this subpart in order to allow for future expansion in the regulations. Where these sections appear as revisions in other subparts in 46 CFR Part 146, they will be corrected accordingly.

9. The authority for regulations governing transportation of corrosive liquids is in R. S. 4405, 4472, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 170, and 50 U. S. C. App. 1275.

ITEM III—HEATERS FOR MOTOR VEHICLES; DANGEROUS CARGO REGULATIONS

10. It is proposed to amend 46 CFR 146.08–11 to permit the use of heaters on motor vehicles while being transported on board vessels subject to the provisions of R. S. 4472, as amended (46 U. S. C. 170). Since such heater installations on motor vehicles present similar hazards and would require similar safeguards as refrigerating equipment which is presently permitted, it is proposed to permit heater installations on motor vehicles under the same conditions as allowed for refrigerating units. The present regulation is in 46 CFR 146.08–11 and is also published in the Coast Guard pamphlet entitled "Explosives or Other Dangerous Articles on Board Vessels" (CG 187).

11. The authority to regulate heater installations on motor vehicles while being transported on board vessels is in R. S. 4405, 4472, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 170, and 50 U. S. C. App. 1275.

ITEM IV—CERTIFICATION OF SHIPS' STORES AND SUPPLIES; DANGEROUS CARGO REGULATIONS

12. Upon the request of the Bureau of the Budget it is proposed to charge the manufacturer of ships' stores and supplies for the cost of any test required to determine if such article can be safely used on board ship. In order to provide for this change it is proposed to amend 46 CFR 147.03–3, regarding procedure to obtain certification which is also published in the Coast Guard pamphlet entitled "Explosives or Other Dangerous Articles on Board Vessels" (CG 187).

13. The authority for regulations governing certification of ships' stores and supplies is in R. S. 4405, 4472, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 170, and 50 U. S. C. App. 1275.

ITEM V—GENERAL PROVISIONS; TANK VESSEL REGULATIONS

14. It is proposed to amend 46 CFR 30.01–5, regarding the application of Tank Vessel Regulations in order to clarify the requirements. The provisions of R. S. 4417a, as amended (46 U. S. C. 391a), apply to all vessels transporting inflammable or combustible liquid cargo in bulk. For many years the transportation of certain types of combustible liquid cargo in bulk in limited quantities on passenger and dry cargo vessels has been permitted. The change proposed will clarify the application of the Tank Vessel Regulations to passenger and dry cargo vessels. The present § 30.01–5 is also published in the Coast Guard pamphlet entitled "Tank Vessel Regulations" (CG 123).

15. The authority for regulations governing the transportation of inflammable or combustible liquid cargo in bulk is in R. S. 4405, 4417a, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, and 50 U. S. C. App. 1275.

16. The 1948 Convention for the Safety of Life at Sea establishes many additional requirements applicable to tank vessels of 500 gross tons and over engaged on international voyages. The Coast Guard is one of the primary Governmental agencies concerned with enforcing the provisions of the Convention and the Commandant of the Coast Guard is required to prescribe regulations which will implement the Convention in order to give it force and effect. Therefore, most of the proposed changes described in Items VI to IX, inclusive, are proposed to implement the 1948 Convention. The proposed changes will come into force and effect on November 19, 1952.

ITEM VI—INSPECTION AND CERTIFICATION; TANK VESSEL REGULATIONS

17. It is proposed to amend 46 CFR 31.10–30 and add § 31.10–31 so that the Tank Vessel Regulations will require stability tests on ocean and coastwise mechanically propelled tank ships of 500 gross tons and over, construction or conversion of which is started on or after November 19, 1952. In order to have uniformity in terminology it is proposed to change the phrase "inclining tests" to "stability tests."

18. The authority for regulations regarding inspection and certification of tank vessels is in R. S. 4405, 4417a, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, and 50 U. S. C. App. 1275.

ITEM VII—SPECIAL EQUIPMENT, MACHINERY AND HULL REQUIREMENTS; TANK VESSEL REGULATIONS

19. It is proposed to amend 46 CFR 32.35–20, 32.35–21 32.35–25, 32.35–30, 32.35–35, 32.45–5, 32.50–1 to 32.50–30, inclusive, 32.55–25, 32.55–30, 32.55–45, 32.60–30, and 32.60–40, regarding bilge pumps on tank barges, steering appa-

ratus, electrical installations, cargo pumps and piping, venting and ventilation of cargo tanks and cofferdams, segregation of cargo, location of independent cargo tanks, construction and testing of cargo tanks, and bulkheads. The present regulations are published by the Coast Guard in a pamphlet entitled "Tank Vessel Regulations" (CG 123). It is also proposed to establish a new subpart regarding bilge systems, which will contain certain requirements previously published under other sections. By revising the requirements for steering apparatus it is also proposed to transfer these requirements to 46 CFR Part 55 (Subchapter F), which will be published in the Coast Guard pamphlet entitled "Marine Engineering Regulations and Material Specifications." The changes proposed are necessary to implement the 1948 Convention for Safety of Life at Sea, as well as to revise the Tank Vessel Regulations to agree with recommendations of the Committee on Tank Vessels established to review Coast Guard Tank Vessel Regulations and the Panama Canal Tank Vessel Regulations and similar requirements in the rules of the American Bureau of Shipping.

20. The authority for regulations on special equipment, machinery, and hull requirements for tank vessels is in R. S. 4405, 4417a, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, and 50 U. S. C. App. 1275.

ITEM VIII—LIFESAVING APPLIANCES; TANK VESSEL REGULATIONS

21. The 1948 Convention for the Safety of Life at Sea requires changes in the lifesaving appliances required to be carried on tank vessels engaged on international voyages. To implement this Convention it is proposed to amend 46 CFR 33.05–1, 33.05–5, 33.05–10, 33.10–1 to 33.10–20, inclusive, 33.15–1, 33.20–1, 33.40–1, and 33.50–1, which are also published by the Coast Guard in the pamphlet entitled "Tank Vessel Regulations" (CG 123). The proposed changes will change the requirements regarding lifeboats, lifeboat handling equipment requirements, equipment for lifeboats, ring life buoys, distress signals, and signalling lamps. It is also proposed to add new requirements regarding motor-propelled or hand-propelled lifeboats, lifeboat winches, first-aid kits, jackknives, heaving lines, bilge pumps for motor lifeboats, ladders for lifeboats, ships' distress signals, and portable radio apparatus for lifeboats. The terminology used to describe certain items of equipment has been also changed in order to agree with terms now used in the industry for the 1948 Convention.

22. The authority for regulations for life-saving appliances on tank vessels is in R. S. 4405, 4417a, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, and 50 U. S. C. App. 1275.

ITEM IX—FIRE-FIGHTING EQUIPMENT; TANK VESSEL REGULATIONS

23. It is proposed to amend 46 CFR 34.10–1 to 34.10–40, inclusive, 34.15–1 to 34.15–55, inclusive, and 34.20–1 to 34.20–15, inclusive, regarding fire pumps, mains, hydrants, fire hose for tank ships, fire-fighting requirements for cargo spaces, fire-fighting requirements for pump room, boiler room, and machinery spaces, which are also published in the Coast Guard pamphlet entitled "Tank Vessel Regulations" (CG 123). It is also proposed to establish new subparts regarding fire-fighting equipment in cargo spaces, pump rooms, lamp lockers, paint rooms, etc., which will include many of the requirements presently published in Subparts 34.10, 34.15, and 34.20. The proposed changes are to implement the 1948 Convention for Safety of Life at Sea. This Convention revises the requirements for fire-fighting equipment on tank vessels engaged on international voyages.

24. The authority for regulations on fire-fighting equipment on tank vessels is in R. S. 4405, 4417a, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, and 50 U. S. C. App. 1275.

ITEM X—OPERATION; TANK VESSEL REGULATIONS

25. It is proposed to amend 46 CFR 35.30–20 and 35.35–1, regarding fresh air breathing apparatus and manning of tank vessels, respectively. The present regulations are also published in the Coast Guard pamphlet entitled "Tank Vessel Regulations" (CG 123). The proposed change regarding fresh air apparatus is in agreement with the 1948 Convention for Safety of Life at Sea and is intended in part to implement this Convention. The proposed amendment regarding manning of tank vessels is to clarify misunderstandings and to revise the regulation so that it will reflect a change made in the definition of "tankerman," in 46 CFR 30.10–71. The effect of this proposal is to allow a licensed engineer officer to act as a certificated tankerman in the case of unmanned barges where the personnel may be supplied by the terminal.

26. The authority for regulations concerning the operation of tank vessels is in R. S. 4405, 4417a, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, and 50 U. S. C. App. 1275.

ITEM XI—LIQUEFIED PETROLEUM GASES; TANK VESSEL REGULATIONS

27. In response to the petitions from various ship operators, it is proposed to amend 46 CFR 38.20–1, regarding the vent header systems on tank barges carrying liquefied petroleum gases. It has been shown that the vent header systems presently required on these tank barges greatly restrict the vision of the pilot on the towboat. It is also proposed to separate the requirements for tank ships and tank barges so that the revised arrangements allowed for vent systems on tank barges carrying liquefied petroleum gases can be described. The proposed changes describe only the special requirements necessary for venting of cargo tanks used in transporting liquefied petroleum gases. The other requirements for venting and ventilation of tank vessels are set forth in 46 CFR 32.55 and are described in Item VII above.

28. The authority for regulations regarding liquefied petroleum gases is in R. S. 4405, 4417a, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, and 50 U. S. C. App. 1275.

ITEM XII—EQUIPMENT FOR MERCHANT VESSELS; SPECIFICATIONS

29. It is proposed to add two new specifications as Subparts 162.026 and 162.027 to 46 CFR Part 162 in Subchapter Q—Specifications, regarding "automatically controlled packaged auxiliary boilers" and "combination solid stream and water fog fire hose nozzles." The proposed specification for "automatically controlled packaged auxiliary boilers" sets forth the requirements for the manufacturer to follow in manufacturing such equipment and covers design, construction, controls required, boiler alarms, tests and inspections required, and procedure for approval. The proposed specification for "combination solid stream and water fog fire hose nozzles" sets forth the requirements for the manufacturer to follow in manufacturing such equipment and covers applicable specifications, arrangement, construction materials, inspections and tests required, marking, and procedure for approval. The tank vessel regulation in 46 CFR Part 34 presently requires the use of approved type combination solid stream and water fog fire hose nozzles for 25 percent of the fire hydrants on all tank ships. The proposed specification sets forth the requirements which will be required to be met by the manufacturer in order to receive approval for such equipment. Such equipment presently approved will be required to comply with the proposed specification. However, such equipment presently installed on tank ships will not be required to be changed, but may be continued in use so long as it is in good and serviceable condition.

30. The authority for regulations regarding automatically controlled packaged auxiliary boilers is in R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275. The authority for regulations regarding combination solid stream and water fog fire hose nozzles is in R. S. 4405, 4417, 4417a, 49 Stat. 1544, 54 Sta. 1026, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391, 391a, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM XIII—PIPING SYSTEMS, PUMPS, REFRIGERATION MACHINERY, AND FUEL TANKS; MARINE ENGINEERING REGULATIONS

31. It is proposed to amend 46 CFR 52.01–15, 55.07–1, 55.07–10, 55.07–15, 55.07–25, 55.10–25, and 55.10–30, regarding plan approval of piping systems, machinery, etc., detailed requirements for piping systems, bilge and ballast piping, and bilge pumps on passenger and cargo vessels. The present regulations are also published in the Coast Guard pamphlet entitled "Marine Engineering Regulations and Material Specifications" (CG 115). The proposed requirements for bilge piping and bilge pumps will bring the Marine Engineering Regulations into agreement with the 1948 Convention for Safety of Life at Sea. The other changes proposed are necessary to improve safety on board vessels.

32. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat.

1544, 54 Stat. 346, 1026, sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM XIV—GENERAL PROVISIONS; MARINE ENGINEERING REGULATIONS

33. In 46 CFR Subchapter F—Marine Engineering, Parts 50 to 58, inclusive, are contained the requirements applicable to materials, construction, installation, inspection, and maintenance of boilers, unfired pressure vessels, appurtenances, piping, welding, and brazing. In Parts 50 to 57, inclusive, are contained the requirements applicable to equipment and installations made or contracted for after July 1, 1935. In Part 58 is contained the requirements for boilers and attachments, including piping systems, made or contracted for prior to July 1, 1935. These requirements are also published by the Coast Guard in a pamphlet entitled "Marine Engineering Regulations and Material Specifications" (CG 115). Since the requirements in Part 58 apply to equipment and attachments made or contracted for prior to July 1, 1935, it is proposed to establish a new subchapter which will contain the requirements applicable to such boilers and attachments by transferring Part 58 to new Parts 66–69, inclusive, in 46 CFR, and to repeat certain regulations now published in Parts 50–57, inclusive, of 46 CFR so that these regulations will be complete. The Coast Guard also proposes to publish these regulations in a separate pamphlet. It is not intended to increase the requirements applicable to boilers and attachments made or contracted for prior to July 1, 1935, however, the requirements for repairing such equipment have been set forth in greater detail. The proposed changes are covered in Items XIV to XVII, inclusive.

34. It is proposed to amend 46 CFR 50.05 and 57.10–15 in order to reflect the changes made by establishing a new subchapter for boilers and attachments installed or contracted for prior to July 1, 1935. It is proposed to establish a new Part 66 in 46 CFR which will contain general provisions taken from 46 CFR Parts 50 to 57, inclusive, and certain material from 46 CFR Part 58, so that the requirements in the new Part 66 will cover general provisions applicable to boilers and attachments installed or contracted for prior to July 1, 1935, as well as requirements for boiler plates, steel bars for stays and braces, lap-welded boiler tubes, seamless steel boiler tubes, welded steel and iron pipe, and seamless steel pipe.

35. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM XV—CONSTRUCTION; MARINE ENGINEERING REGULATIONS

36. It is proposed to transfer the construction requirements for boilers and attachments made or contracted for prior to July 1, 1935, which are set forth in 46 CFR Parts 52 and 58 to a new Part 67 in 46 CFR. The subjects to be covered in this part deal with procedure and general requirements for construction of boilers and attachments, cylindrical shells, shell joints, shell heads, openings and reinforcements, stays and stayed surfaces, combustion chambers and tube sheets of fire tube boilers, furnaces and flues, boiler and superheater tubes, safety valves, boiler mountings and attachments, and evaporators, feed-water heaters, separators, and steam traps made of cast iron and subject to boiler pressure. The transfer of regulations is editorial in nature and is not intended to impose additional requirements.

37. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM XVI—PIPING SYSTEMS; MARINE ENGINEERING REGULATIONS

38. The piping systems installed or contracted for prior to July 1, 1935, are subject to certain requirements in 46 CFR Parts 55 and 58. It is proposed to editorially revise these requirements and transfer them to a new Part 68 in 46 CFR. This part will contain the general and detailed requirements for piping systems, and it is not intended to impose additional requirements.

39. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM XVII—INSTALLATIONS, TESTS, INSPECTIONS, REPAIRS; MARINE ENGINEERING REGULATIONS

40. The requirements covering the installations, tests, inspections, and repairs for boilers and attachments made or contracted for prior to July 1, 1935, are set forth in 46 CFR Part 58. It is proposed to editorially revise these regulations in Part 58 and transfer them to a new Part 69 in 46 CFR. In certain instances the text of the regulations has been revised to better describe the requirements regarding tests, inspection required, and repairs.

41. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM XVIII—STEAM AND INERT-GAS FIRE EXTINGUISHING SYSTEMS; VESSEL INSPECTION REGULATIONS

42. In response to a petition received from the Lake Carriers' Association, Cleveland, Ohio, it is proposed to amend 46 CFR 77.4, regarding steam and inert-gas fire extinguishing systems so that mechanically propelled vessels navigating the Great Lakes and carrying grain cargoes in bulk will be exempt from the general requirements for such equipment. This petition is based on the fact that the records do not show many fires have occurred in grain cargoes carried in bulk on the Great Lakes and, therefore, the need for steam and inert-gas fire extinguishing systems in the cargo holds is not justified. In addition, many Great Lakes vessels are used in the winter time for the storage of grain cargoes in bulk. There have been no serious fires on board such vessels. At the present time cargo vessels carrying coal in bulk exclusively are exempt from the requirements for steam and inert-gas fire extinguishing systems, and it is felt that the carriage of grain cargoes in bulk creates no greater hazards from fire than the carriage of coal in bulk. The proposal is to exempt only mechanically propelled vessels navigating the Great Lakes which carry grain cargoes in bulk. It is not contemplated to exempt mechanically propelled vessels carrying grain cargoes in bulk which navigate the oceans, coastwise waters, bays, sounds, and lakes other than the Great Lakes, or rivers, from the requirements for steam and inert-gas fire extinguishing systems as set forth in 46 CFR 61.4, 95.4, and 114.6. The casualty records for the last five years do show that serious fires have occurred in mechanically propelled vessels carrying grain cargoes in bulk while navigating the oceans and coastwise waters.

43. The authority for regulations regarding steam and inert-gas fire extinguishing systems is in R. S. 4405, 4470, 49 Stat. 1544, 54 Stat. 346, 1028, 55 Stat. 245, as amended; 46 U. S. C. 375, 463, 367, 1333, 463a, and 50 U. S. C. App. 1275.

ITEM XIX—LOAD LINE REGULATIONS

44. The 1930 International Load Line Convention in Article 18 provides that where a particular fitting or arrangement is required by the Convention that a Contracting Government may accept any other fitting or arrangement if it is satisfied that the substitution is equally as effective as that specified in the Convention. It is, therefore, proposed to amend 46 CFR 43.98, regarding hatchways for tankers so that it will describe the requirements for an alternate type of hatchways which has been found to be as effective as that specified by the 1930 International Load Line Convention. Correspondence with the British Government indicates that the British are in agreement with the United States Government regarding this alternate type of hatchway for tankers. It is proposed to amend 46 CFR 43.106, regarding freeboard table for tankers so that there will be uniformity in the assignments of freeboards to tankers over 600 feet in length and up to and including 750 feet in length. The 1930 International Load Line Convention provides a freeboard table for tank vessels up to 600 feet in length and states that tank vessels over that length shall be dealt with by the individual Contracting Government. The proposals for freeboards of tank vessels between 600 feet and 750 feet in length have been discussed with the British Government and they agree with the proposed changes. In the merchant marine the number of tank vessels over 600 feet in length have

become more common than previously. This proposal is considered essential in order that requirements will be applied uniformly. It is also proposed to editorially revise the Form A1 entitled "International Load Line Certificate" in 46 CFR 43.110.

45. The authority for prescribing Load Line Regulations is in sec. 2, 45 Stat. 1493, sec. 2, 49 Stat. 888, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 85a, 88a, and 50 U. S. C. App. 1275; and Executive Order 7548, 2 F. R. 257.

ITEM XX—NUMBERING OF UNDOCUMENTED VESSELS; MOTORBOAT REGULATIONS

46. It is proposed to revise and amend 46 CFR Part 29, regarding the numbering of undocumented vessels, in its entirety. The Numbering Act of June 7, 1918, requires that every undocumented vessel operated in whole or in part by machinery, owned in the United States and found on the navigable waters thereof, except public vessels and vessels not exceeding 16 feet in length, shall be numbered, that the Coast Guard shall issue such numbers, and shall keep a record of ownership of numbered vessels for the purpose of identification and the reporting of statistics by customs and Coast Guard districts. The present procedure for the numbering of undocumented vessels has not been satisfactory and the maintenance of accurate statistics is extremely difficult. In order to improve the procedures and to maintain accurate statistics, it is necessary to revise the regulations in 46 CFR Part 29. The major change proposed will require the owner of an undocumented vessel to surrender the certificate of award of number for an undocumented vessel and the issuance of a new certificate bearing a new number when the owner of an undocumented vessel moves his permanent residence from one customs or Coast Guard district to another. The other proposals are editorial in nature and more descriptive of present requirements or procedures required in the administration of the Numbering Act of June 7, 1918.

47. The authority for regulations regarding numbering of undocumented vessels is in sec. 1, 40 Stat. 602, as amended; 46 U. S. C. 288.

ITEM XXI—WITHDRAWALS OF CERTAIN APPROVALS OF EQUIPMENT

48. New specifications or regulations for flame arresters, pressure vacuum relief valves, and safety relief valves for liquefied compressed gases, which are used on tank vessels, were approved and published in the FEDERAL REGISTER. The various manufacturers of such equipment were informed by letter of the changes in the specifications and regulations and requested to redesign their previously approved equipment and to resubmit revised plans, specifications, and test data where necessary showing that such equipment manufactured complies with the new or revised requirements adopted. Certain manufacturers failed to take any action on the letter requests of the Coast Guard to have such equipment manufactured by them redesigned or changed to meet the new requirements adopted. It is, therefore, proposed to withdraw the approvals of such equipment which do not comply with present regulations. However, such equipment already manufactured and installed on tank vessels will be permitted to be used so long as it is maintained in satisfactory condition. The companies, together with the approvals affected by this action, are as follows:

Flame Arresters for Tank Vessels

Protectoseal Co. of America, Chicago, Ill., Approval No. 162.016/4/0, Model 1004.

Valves, Pressure Vacuum Relief, for Tank Vessels

A. Y. McDonald Manufacturing Co., Dubuque, Iowa, Approval No. 162.017/9/0, Plate 925-T.

Mechanical Marine Co., 17 Battery Place, New York, N. Y., Approval Nos. 162.017/10/0, "Vac-Rel" Type No. 1-F; 162.017/11/0, "Vac-Rel" Type No. 2-F; 162.017/12/0, "Vac-Rel" Type No. 2-R; 162.017/13/0, "Vac-Rel" Type No. 3; 162.017/14/0, "Vac-Rel" Type No. 3-F; 162.017/15/0, "Vac-Rel" Type No. 3-V-4; 162.017/59/0, "Vac-Rel" Series No. 1-N; 162.017/60/0, "Vac-Rel" Series No. 3-F-AT.

Ohio Pattern Works & Foundry Co., 2735 Colerain Avenue, Cincinnati, Ohio, Approval No. 162.017/19/0, Type OPW No. 95-M.

Protectoseal Co. of America, Chicago, Ill., Approval No. 162.017/20/0, Model No. 1554.

The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif., Approval Nos. 162.017/28/0, "Varec" Figure No. 20; 162.017/29/0, "Varec" Figure No. 20A; 162.017/30/0, "Varec" Figure No. 20B; 162.017/31/0, "Varec" Figure No. 22; 162.017/32/0, "Varec" Figure No. 22A; 162.017/33/0, "Varec" Figure No. 30; 162.017/34/0, "Varec" Figure No. 30A; 162.017/35/0, "Varec" Figure No. 30B; 162.017/36/0, "Varec" Figure No. 31; 162.017/37/0, "Varec" Figure No. 32; 162.017/38/0, "Varec" Figure No. 32B; 162.017/39/0, "Varec" Figure No. 32D; 162.017/40/0, "Varec" Figure No. 33; 162.017/41/0, "Varec" Figure No. 33A; 162.017/42/0, "Varec" Figure No. 33B; 162.017/43/0, "Varec" Figure No. 34A; 162.017/44/0, "Varec" Figure No. 34B; 162.017/45/0, "Varec" Figure No. 35; 162.017/46/0, "Varec" Figure No. 35A; 162.017/47/0, "Varec" Figure No. 37; 162.017/48/0, "Varec" Figure No. 37A; 162.017/49/0, "Varec" Figure No. 37B; 162.017/50/0, "Varec" Figure No. 73; 162.017/51/0, "Varec" Figure No. 73A; 162.018/58/0, "Varec" Figure No. 34; 162.017/62/0, "Varec" Figure No. 35D.

A. W. Wheaton Brass Works, Newark, N. J., Approval No. 162.017/54/0, Type 93.

Valves, Safety Relief, Liquefied Compressed Gas, for Tank Vessels

Farris Engineering Co., Commercial Avenue, Palisades Park, N. J., Approval No. 162.018/16/0, Type 2680, safety relief valve.

49. The authority for withdrawals of certain approvals is in R. S. 4405, 4417a, 4491, and sec. 5 (e), 55 Stat. 245, as amended; 46 U. S. C. 375, 391a, 489, 50 U. S. C. App. 1275. The specifications for regulations for certain equipment on tank vessels is in 46 CFR 162.016, 162.017, and Part 38.

Dated: February 20, 1952.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 52-2243; Filed, Feb. 26, 1952; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 964]

[Docket No. AO-236]

HANDLING OF WATERMELONS GROWN IN DESIGNATED PRODUCTION AREA OF FLORIDA, GEORGIA, AND SOUTH CAROLINA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed marketing agreement and a proposed marketing order regulating the handling of watermelons grown in that part of the State of Florida lying east of the Appalachicola River; the counties of Troup, Merriwether, Pike, Lamar, Butts, Jasper, Putnam, Greene, Oglethorpe, Wilkes, Lincoln, and all counties lying south and southeast thereof in the State of Georgia; and the counties of McCormick, Edgefield, Saluda, Lexington, Richland, Sumter, Clarendon, Williamsburg, Georgetown, and all counties lying south thereof in the State of South Carolina, to be effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). Interested parties may file exceptions to this recommended decision with the Hearing Clerk, Room 1353 South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the twentieth day after publication of this recommended decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. A hearing on the aforementioned proposed marketing agreement and proposed order was held at Tifton, Georgia on December 6-7, 1951; Gainesville, Florida, on December 10, 1951; Leesburg, Florida, on December 11, 1951; and Allendale, South Carolina, on December 13, 1951, pursuant to notice thereof which was published in the FEDERAL REGISTER (16 F. R. 11605). Two of the most material issues presented on the record of hearing were:

(1) The desirability of and economic justification for entering into an agreement and the issuing of an order for regulating the handling of watermelons grown in certain counties of Florida, Georgia, and South Carolina.

(2) The necessity for and the equitable nature and scope of the provisions of the proposed marketing agreement and order as set forth in the notice of hearing.

Findings and conclusions. Upon the basis of the evidence adduced at such

hearing, it is hereby found and concluded that the entering into of a marketing agreement and the issuance of an order at this time to regulate the handling of watermelons grown in the designated production area of Florida, Georgia, and South Carolina on the basis of the proposed regulation of such commodity considered at the aforementioned hearing would not tend to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended. This finding and conclusion is reached primarily on the basis that a program of this type requires a high degree of voluntary cooperation by members of the particular industry to assure its successful operation, and the record of that hearing indicates that a substantial number of the growers and shippers of watermelons in a portion of Florida and in South Carolina would not give such cooperation to the presently proposed marketing agreement and order.

In addition, it has been requested, in effect, on behalf of the proponents, that the Secretary terminate this proceeding without any further action in connection therewith. The expressed purpose of such request is to permit a reconsideration of the matter by the industry with a view to drafting a proposed new agreement and order. Some industry meetings have already been held in pursuit of that objective. It is contemplated that any action taken with respect to such a proposed new agreement and order will be on the basis of a new notice, hearing, and other appropriate procedural steps.

In view of the conclusion that the record fails to justify entering into a marketing agreement and order at this time, there appears to be no need for a discussion of the issues relating to the individual provisions of the proposed regulatory program for the production area.

Rulings on briefs of interested parties. Interested parties were allowed until January 5, 1952, by the Presiding Officer at the hearing on the proposed marketing agreement and order to file briefs on findings of facts and conclusions based on evidence introduced at the hearing. Five briefs were filed and one was amended at a later date. All the briefs filed were either in opposition to any further promulgation proceeding or requested a delay in the proceedings so that the proponents and opponents could have an opportunity to discuss their differences and arrive at a mutually satisfactory marketing program. The findings and conclusions are not at variance with the briefs filed.

Filed at Washington, D. C., this 21st day of February 1952.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 52-2248; Filed, Feb. 26, 1952; 8:52 a. m.]

[P. & S. Docket No. 383]

MARKET AGENCIES AT ST. LOUIS NATIONAL STOCK YARDS

NOTICE OF PETITION FOR MODIFICATION OF RATE ORDER

Correction

In F. R. Doc. 52-1993, appearing at page 1523 of the issue for Tuesday, Feb. 19, 1952, the heading "St. Louis National Stock Yards" should have read "Market Agencies at St. Louis National Stock Yards."

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 62226]

NEW MEXICO

ORDER PROVIDING FOR THE OPENING OF PUBLIC LANDS RESTORED FROM THE TUCUMCARI PROJECT

FEBRUARY 20, 1952.

An order of the Bureau of Reclamation dated June 29, 1951, concurred in by the Associate Director, Bureau of Land Management, July 11, 1951, revoked the Departmental order of August 11, 1944, so far as it withdrew under the provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following described land in connection with the Tucumcari Project, New Mexico, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

NEW MEXICO PRINCIPAL MERIDIAN

T. 11 N., R. 30 E.,
Sec. 36, SW¼NW¼, NW¼SW¼.

The areas described aggregate 80 acres.

The lands are chiefly valuable for grazing.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Santa Fe, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1,

1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Santa Fe, New Mexico.

WILLIAM PINCUS,
Assistant Director.

[F. R. Doc. 52-2208; Filed, Feb. 26, 1952; 8:45 a. m.]

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

FEBRUARY 18, 1952.

Notice is given that the plat of original survey of the following described lands, accepted December 10, 1951, will be officially filed in the Land Office, Fairbanks, Alaska, effective at 10:00 a. m. on the 35th day after the date of this notice:

FAIRBANKS MERIDIAN

T. 7S., R. 8E.,
Secs. 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 36.

The area described contains 7,607.73 acres.

The lands are located approximately 75 miles southeast of Fairbanks, Alaska, in the vicinity of Shaw Creek. The topography of the area varies from level valley bottomlands to hilly uplands moderate to steeply sloping. The soils consist mainly of silt loam and very fine sand grading to stony soils in the uplands. Permafrost generally underlies the bottomland soils at shallow depths. The uplands and the better drained portions of the lowlands support a vegetative cover of spruce, aspen, birch, and larch in a reproduction stage, while black spruce, scrub birch, willow, and muskeg vegetative types are the predominant flora of the low places of poor drainage. Excellent access to the area is obtainable via the Richardson Highway, a hard surfaced road which traverses the southern portion of the lands in an east-west direction.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the Homestead or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, home or headquarters site under the act of May 26, 1934 (48 Stat. 809, 48 U. S. C. 461), by qualified veterans of World War II and other qualified persons entitled to preference under the act of Sept. 27, 1944 (58 Stat. 747, 43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under the paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m., on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m., on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Fairbanks, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office.

FRED J. WEILER,
Manager.

[F. R. Doc. 52-2209; Filed, Feb. 26, 1952; 8:45 a. m.]

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

FEBRUARY 18, 1952.

Notice is given that the plat of original Survey of the following described lands, accepted September 28, 1951, will be officially filed in the Land Office, Fairbanks, Alaska, effective at 10:00 a. m. on the 35th day after the date of this notice:

FAIRBANKS MERIDIAN

T. 9 S., R. 10 E.,
Secs. 9, 10, 15, 16, 17, 20, 21, 22, 27, 28, 33, 34, and 35.

The area described contains 6270.70 acres.

The lands are located in the vicinity of Big Delta, Alaska, about 95 miles southeast of Fairbanks. Excellent access to the area is obtainable via the Richardson Highway, a hard surfaced road which traverses the western portion of the lands in a northwest-southeast direction. The topography of the area is level and the lands support a vegetative cover of spruce, aspen, birch, and larch in a reproduction stage. The soils consist mainly of silty to very fine sandy loam underlain by coarse sand and gravel.

Of the lands described, the NW¼NW¼, Sec. 9, parts of W½W½NE¼, W½NW¼ SE¼, Lots 4, 11, 12, 13, and 14, Sec. 17, are included in Air Navigation Site Withdrawal No. 105, dated April 20, 1936, as amended and enlarged February 19, 1941, and reserved for use of the Alaska Road Commission for air navigation facilities.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, home or headquarter site under the act of May 26, 1934 (48 Stat. 809, 48 U. S. C. 461), by qualified veterans of World War II and other qualified persons entitled to preference under the act of Sept. 27, 1944 (58 Stat. 747, 43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under the paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at

the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Fairbanks, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office.

FRED J. WEILER,
Manager.

[F. R. Doc. 52-2210; Filed, Feb. 26, 1952; 8:45 a. m.]

Office of the Secretary

[Order No. 2509, Amdt. 15]

DELEGATIONS OF AUTHORITY; GENERAL TORT CLAIMS

FEBRUARY 20, 1952.

Paragraph (b) of section 21 of Order No. 2509, as amended (14 F. R. 7489), is further amended to read as follows:

SEC. 21. *Tort claims.* * * *

(b) The Regional Counsels of the Bureau of Land Management, of the Bureau of Reclamation, and of the National Park Service, the Area Counsels of the Bureau of Indian Affairs, the General Counsel of the Bonneville Power Administration, the Chief Counsels of the Southwestern Power Administration and the Southeastern Power Administration, and the Counsel of The Alaska Railroad are severally authorized to consider, ascertain, adjust, determine, and settle, pursuant to the provisions of 28 U. S. C., sec. 2672, any claim not exceeding $1,000 against the United States based upon a negligent or wrongful act or omission of an employee of the Department of the Interior, and, without considering its merits, to reject any tort claim which is for an amount in excess of $1,000.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-2212; Filed, Feb. 26, 1952; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 4471, 4522, 4611, 5207, 5210, 5394]

FRONTIER AIRLINES, INC., ET AL.; FRONTIER ROUTE 93 RENEWAL CASE

NOTICE OF HEARING

In the matter of the applications of Frontier Airlines, Inc., under Docket No. 4522, for renewal of its authority to serve Route 93 for a period of 5 years, the extension of its route to Fort Huachuca, Ariz.; and under Docket No. 4611 for a certificate amendment authorizing nonstop service between Douglas, Ariz., and El Paso, Tex.; the application of Bonanza Air Lines, Inc., under Docket No. 4471 to extend its route No. 105 to all points presently certificated on Route 93; the application of Trans World Airlines, Inc., under Docket No. 5210, for a certificate amendment to eliminate the intermediate point Winslow, Ariz., therefrom; the investigation instituted by the Board on petition of American Airlines, Inc., under Docket No. 5394, to determine whether said airline should be authorized to suspend service temporarily at Douglas, Ariz.; and the petition of Frontier Airlines, Inc., under Docket No. 5207, to suspend the authority of Trans World Airlines, Inc., to serve Winslow, Ariz., on its route No. 2, and the authority of Bonanza Air Lines, Inc., to serve the intermediate point, Prescott, Ariz., on its route No. 105.

Notice is hereby given that pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 (h) and 1001 of said act, the above-entitled proceeding is assigned for hearing on March 11, 1952, at 10:00 a. m. (mountain standard time) in the Aero Room of the Adams Hotel, Phoenix, Ariz., before Examiner Paul N. Pfeiffer.

Without limiting the scope of the issues presented by the applications, petitions, and investigations herein, particular attention will be directed to the following questions:

1. Whether the public convenience and necessity require the renewal of the certificate held by Frontier Airlines, Inc., so as to continue its authority to serve Route 93 in whole or in part for a period of five years from date of final decision herein, or such lesser time as the Board may determine?

2. Whether the public convenience and necessity require the amendment of Frontier's certificate as renewed so as to authorize service to Fort Huachuca, Ariz., as an intermediate point between Douglas and Nogales, Ariz., on Route 93?

3. Whether the public convenience and necessity require the amendment of Frontier Airlines' certificate for Route 93 so as to authorize nonstop service between the intermediate point, Douglas, Ariz., on segment 3 thereof and El Paso, Tex., the terminal point on segment 2 thereof?

4. Whether the public convenience and necessity require the amendment of the certificate held by Bonanza Air Lines, Inc., on Route 105 so as to include any or all points presently certificated on Frontier's Route 93, as presently constituted, and in addition so as to include nonstop authority between Douglas Ariz., and El Paso, Tex.?

5. Whether the public convenience and necessity require the suspension of authority of Trans World Airlines, Inc., to serve the intermediate point, Winslow, Ariz., on its Route 2 for an indefinite period, or whether they require the amendment of the certificate of Trans World Airlines, Inc., for Route 2 so as to eliminate therefrom the intermediate point, Winslow, Ariz.?

6. Whether the public convenience and necessity require the suspension of the authority of Bonanza Air Lines, Inc., to serve the intermediate point Prescott, Ariz., on its Route 105?

7. Whether the public convenience and necessity require the temporary suspension of American Airlines' authority to serve Douglas, Ariz., during the period that Frontier is authorized direct Douglas-El Paso service.

For further details concerning the issues involved in this proceeding interested persons are referred to the applications, petitions, and the investigations under Dockets Nos. 4522, 4471, 4611, 5207, 5210, and 5394, and the Prehearing Conference Report herein issued on January 4, 1952, which are on file with the Civil Aeronautics Board.

Notice is further given that any person, other than a party of record, desiring to be heard in opposition to or in support of the applications, petitions, or to submit evidence in connection with said investigation must file with the Board on or before March 11, 1952, a written statement setting forth such relevant propositions of fact or law as he desires to advance.

Dated at Washington, D. C., February 21, 1952.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52-2244; Filed, Feb. 26, 1952; 8:52 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region V, Redelegation of Authority No. 7, Revised]

DIRECTORS OF DISTRICT OFFICES, REGION V

REDELEGATION OF AUTHORITY TO ACT ON PRICING AND REPORTS, CPR 34

By virtue of the authority vested in me as Acting Director of the Regional Office of the Office of Price Stabilization, V, pursuant to Delegation of Authority 28, as amended (16 F. R. 11703, 17 F. R. 330), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the Atlanta, Georgia; Birmingham, Alabama; Columbia, South Carolina; Jackson, Mississippi; Jacksonville, Florida; Memphis, Tennessee; Miami, Florida; Montgomery, Alabama; Nashville, Tennessee; and Savannah, Georgia, District Offices of the Office of Price Stabilization:

(a) To act within the respective district office territory limits as follows:

1. Authority under section 3 (b) of Ceiling Price Regulation 34, as amended, is redelegated to accept the reports correcting purely arithmetical errors under the provisions of section 3 (b) of Ceiling Price Regulation 34, as amended.

2. Authority to act under sections 6, 7, and 8 of Ceiling Price Regulation 34, as amended, is hereby redelegated to accept reports, establish, approve or disapprove ceiling prices or to require further information under the provisions of sections 6, 7, and 8 of Ceiling Price Regulation 34, as amended.

3. Authority to act under section 9 of Ceiling Price Regulation 34, as amended, is hereby redelegated to disapprove or to revise proposed or established ceiling prices under the provisions of section 9 of Ceiling Price Regulation 34, as amended.

4. Authority to act under section 18 (b) and 18 (c) of Ceiling Price Regulation 34, as amended, is hereby redelegated to require further information or to disapprove of statements filed under the provisions of section 18 (b) and 18 (c).

5. Authority to act under section 19 (b) of Ceiling Price Regulation 34 as amended, is hereby redelegated to establish ceiling prices under section 19 (b) of Ceiling Price Regulation 34, as amended.

6. Authority is hereby redelegated to adjust ceiling prices under the provisions of section 20 (a) of Ceiling Price Regulation 34, as amended.

7. As of the effective date of this Redelegation of Authority No. 7, Revised, the former Redelegation of Authority No. 7 is superseded, without in any way affecting any action taken, or proceedings instituted under that redelegation of authority.

This redelegation of authority is effective as of February 18, 1952.

CHARLES B. CLEMENT,
Acting Director of Regional Office V.

FEBRUARY 21, 1952.

[F. R. Doc. 52-2225; Filed, Feb. 21, 1952; 12:11 p. m.]

[Region VIII, Redelegation of Authority No. 24]

DIRECTORS OF DISTRICT OFFICES, REGION VIII

REDELEGATION OF AUTHORITY UNDER CPR 98

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 53, dated February 7, 1952 (17 F. R. 1236), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region, to accept applications for the establishment of ceiling prices or adjustment in extras made in accordance with the provisions of section 40 of Ceiling Price Regulation 98, to request further information in connection with such applications, to approve, disapprove or revise proposed ceiling prices or extras, to establish ceiling prices or extras, and to modify or revoke ceiling prices or extras established under that section.

2. Any official to whom authority is redelegated by or under this redelegation may, in the exercise of that authority, refer for review and advice any filing or application in connection with the establishment of a ceiling price or extra to any other Director of a Regional or District Office of the Office of Price Stabilization, or to the Director of Price Stabilization.

This redelegation of authority shall take effect as of February 12, 1952.

ARTHUR D. REYNOLDS,
Acting Regional Director, Region VIII.

FEBRUARY 21, 1952.

[F. R. Doc. 52-2226; Filed, Feb. 21, 1952; 12:11 p. m.]

[Region X, Redelegation of Authority No. 25]

DIRECTORS OF DISTRICT OFFICES, REGION X

REDELEGATION OF AUTHORITY UNDER CPR 98

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 53 (17 F. R. 1236), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to accept applications for the establishment of ceiling prices or adjustment in extras made in accordance with the provisions of section 40 of Ceiling Price Regulation 98, to request further information in connection with such applications, to approve, disapprove or revise proposed ceiling prices or extras, to establish ceiling prices or extras, and to modify or revoke ceiling prices or extras established under that section.

This redelegation of authority shall take effect as of February 18, 1952.

ALFRED L. SEELYE,
Director of Regional Office No. X.

FEBRUARY 21, 1952.

[F. R. Doc. 52-2227; Filed, Feb. 21, 1952; 12:12 p. m.]

[Region XI, Redelegation of Authority No. 31]

DIRECTORS OF ALL DISTRICT OFFICES, REGION XI

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CEILING PRICES PURSUANT TO SECTIONS 33 AND 53 OF CPR 117, AND TO PROCESS REPORTS OF CEILING PRICES FILED PURSUANT TO SECTION 52 (b) OF CPR 117, MALT BEVERAGES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 52 (17 F. R. 904), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region XI to act, by order, on all applications for ceiling prices under the provisions of sections 33 and 53 of Ceiling Price Regulation 117.

2. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region XI to disapprove ceiling prices reported pursuant to section 52 (b) of Ceiling Price Regulation 117 or to request further information concerning such ceiling prices.

This redelegation of authority shall take effect as of February 15, 1952.

ALLEN MOORE,
Deputy Regional Director, Region XI.

FEBRUARY 21, 1952.

[F. R. Doc. 52-2228; Filed, Feb. 21, 1952; 12:12 p. m.]

[Region XIII, Redelegation of Authority No. 14]

DIRECTORS OF DISTRICT OFFICES, REGION XIII

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 40 OF CPR 98

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 53 (17 F. R. 1236), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to accept applications for the establishment of ceiling prices or adjustment in extras made in accordance with the provisions of section 40 of Ceiling Price Regulation 98, to request further information in connection with such applications, to approve, disapprove or revise proposed ceiling prices or extras, to establish ceiling prices or extras, and to modify or revoke ceiling prices or extras established under section 40 of Ceiling Price Regulation 98.

This redelegation of authority shall become effective February 25, 1952.

WILLIAM J. STEINERT,
Acting Regional Director, Region XIII.

FEBRUARY 21, 1952.

[F. R. Doc. 52-2229; Filed, Feb. 21, 1952; 12:12 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1810]

TEXAS-OHIO GAS CO.

ORDER FIXING DATE OF HEARING

FEBRUARY 20, 1952.

On October 10, 1951, Texas-Ohio Gas Company (Applicant) filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of a natural-gas pipe-line transmission system from a point in Hidalgo County, Texas to a point in the State of West Virginia.

Public notice of the filing of said application has been given, including publication in the FEDERAL REGISTER on October 27, 1951 (16 F. R. 10962). The application is on file with the Commission and open to public inspection.

On November 6, 1951, the Commission notified Applicant that the data and exhibits in support of the application were lacking and required such data to be filed on December 1, 1951. At the request of Applicant, this period was extended 60 days to February 1, 1952. On January 31, 1952, Applicant filed a request that it be granted an additional 90 days to file such data, although Applicant stated in said filing that it would be prepared to proceed on April 1, 1952, or in 60 days from February 1, 1952.

The Commission finds:

(1) It would not be in the public interest to grant an additional 90 days within which to file the necessary supporting data and exhibits.

(2) It would be in the public interest to grant Applicant a 60-day extension, at which time Applicant should be prepared to fully prosecute its application with all supporting evidence, data and exhibits at a public hearing, as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a public hearing be held commencing on April 15, 1952 at 10:00 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application.

(B) Failure on the part of Applicant to be fully prepared on said hearing date to prosecute its application with all supporting data, exhibits and evidence shall be ground for dismissal.

(C) Interested State commissions may participate, as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: February 20, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-2220; Filed, Feb. 26, 1952; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2795]

CENTRAL POWER AND LIGHT CO.

NOTICE OF FILING REGARDING PROPOSED ISSUANCE AND SALE AT COMPETITIVE BIDDING OF FIRST MORTGAGE BONDS

FEBRUARY 19, 1952.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Central Power and Light Company ("Central"), a subsidiary of Central and South West Corporation, a registered holding company. Declarant has designated sections 6 (a) and 7 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than March 3, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 3, 1952, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Central proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $10,000,000 principal amount of First Mortgage Bonds, Series D, due March 1, 1982. The interest rate to be borne by the bonds, the redemption premiums applicable to the bonds, and the price at which the bonds will be issued and sold by Central will be determined through competitive bidding. The bonds will be issued under an indenture dated November 1, 1943, between Central and The First National Bank of Chicago and Robert L. Grinnell, as Trustees, as modified by indentures supplemental thereto and by a supplemental indenture to be dated March 1, 1952, between The First National Bank of Chicago and Coll Gillies, as Trustees. The proceeds from the sale of the new bonds will be used to pay for a part of Central's construction program for the period January 1, 1952, to December 31, 1953, estimated to cost approximately $34,000,000.

Central has requested that the Commission shorten the 10-day period for inviting bids pursuant to Rule U-50 to six days. The declaration states that no other Federal commission, and no State commission has jurisdiction over the proposed issue and sale of the bonds by Central.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2214; Filed, Feb. 26, 1952; 8:47 a. m.]

[File No. 70-2799]

SOUTHWESTERN GAS AND ELECTRIC CO.

NOTICE OF FILING REGARDING PROPOSED ISSUANCE AND SALE OF FIRST MORTGAGE BONDS

FEBRUARY 19, 1952.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Southwestern Gas and Electric Company ("Southwestern") a public utility subsidiary of Central and South West Corporation, a registered holding company. Declarant has designated sections 6 (a) and 7 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than March 5, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 5, 1952, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transaction therein proposed which is summarized as follows:

Southwestern, a Delaware corporation, doing business in the States of Arkansas, Louisiana, Oklahoma, and Texas, proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, $6,000,000 principal amount of First Mortgage Bonds, Series E, due March 1, 1982. The interest rate to be borne by the bonds, the redemption premium applicable to the bonds, and the price at which the bonds will be issued and sold by Southwestern will be determined through competitive bidding. The bonds will be issued under an indenture dated February 1, 1940, between Southwestern and City National Bank and Trust Company of Chicago and Arthur T. Leonard, as Trustees, as modified by indentures supplemental thereto and by a supplemental indenture to be dated March 1, 1952, to be executed by Southwestern to said Trustees. The proceeds from the sale of the new bonds

will be used to pay for a part of Southwestern's construction program for the period January 1, 1952, to December 31, 1953, estimated to cost approximately $19,000,000.

Southwestern has requested that the Commission shorten the 10-day period for inviting bids pursuant to Rule U-50 to 6 days. It is stated that the issuance and sale of the proposed bonds by Southwestern is subject to the jurisdiction of the Arkansas Public Service Commission and the Corporation Commission of the State of Oklahoma, and that the orders of such Commissions with respect to the issuance and sale of the bonds will be supplied by amendment.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2215; Filed, Feb. 26, 1952; 8:47 a. m.]

[File No. 811-359]

BOND & SHARE TRADING CORP.

NOTICE OF APPLICATION FOR AN ORDER DECLARING THAT THE COMPANY HAS CEASED TO BE AN INVESTMENT COMPANY WITHIN THE MEANING OF THE INVESTMENT COMPANY ACT OF 1940

FEBRUARY 20, 1952.

Notice is hereby given that Charles J. Gregory of 70 Pine Street, New York, New York, (hereinafter referred to as "Gregory") formerly president and more recently a co-receiver of Bond and Share Trading Corporation, a corporation organized and formerly existing under the laws of the State of Nevada with offices at 70 Pine Street, New York, New York (hereinafter referred to as "Company") has filed an application pursuant to section 8 (f) of the Investment Company Act of 1940 for an order of the Commission declaring that the Company has ceased to be an investment company within the meaning of the act.

The following statements, among others, appear in the application:

On or about August 10, 1948, an action was commenced in the first judicial district court of the State of Nevada, County of Ormsby, by W. L. Merithew as plaintiff against the Company as defendant by complaint verified August 8, 1948, for an order dissolving the company, appointing a receiver to wind up the affairs of the company with authority to pay all debts and reasonable expenses of the proceeding and of the receiver and to distribute the assets of the company to stockholders ratably in accordance with their respective rights.

On or about August 25, 1948, an answer to the complaint was filed by Gregory as the then president of the Company.

On or about August 30, 1948, the court made two orders, one order dissolving the company and the other appointing W. L. Merithew plaintiff and Gregory co-receivers of the Company.

Following due notice given by the receivers and stockholders the court made an order on or about December 21, 1948, directing the receivers to make a preliminary distribution from the assets of the Company in their hands of $25 per share to the holders of record of 1,917 shares of the preferred stock of the company. A distribution in the sum of $47,925 was made to all such holders of preferred stock, except that certain holders could not be located and the checks mailed to them were returned, as hereinafter more fully explained.

On or about October 17, 1950, the court directed the receivers to make final distribution of $6.96 per share to the holders of the preferred stock, decreeing that upon such final payment the Company be declared and considered fully wound up, the receivers be released and discharged, and their surety released and exonerated.

The preferred stock had a par value of $25.00 per share; was entitled to cumulative dividends at the rate of 6 percent per annum; and, upon liquidation, had a preference of $25.00 per share plus accrued and unpaid dividends. As of June 30, 1948, the arrears of dividends on the 1,917 outstanding shares of preferred stock amounted to $30,192.75 or $15.75 per share. No distribution could be made to holders of common stock since the value of the assets upon liquidation was less than the amount necessary to pay the prior claim of holders of preferred stock.

The second and final distribution of $13,342.32 was completed on or about October 26, 1950, except that certain holders again could not be located and checks mailed to them were returned. The total of returned checks representing both the first and final distribution amounts to $643.00. The receivers therefore hold this sum subject to a further order of the court, as to its ultimate disposition.

All known creditors of the Company have been paid in full and an order has been duly executed in these proceedings barring further claims against the Company. Except as above stated with respect to the sum of $643.00 of unclaimed distribution checks, all assets of the Company, after paying all known debts and expenses of the proceeding and receivership referred to above, have been duly paid pro-rata to the holders of record of the preferred stock and in the opinion of Gregory and upon advice of counsel, the Company has been duly dissolved and its affairs fully wound up. No fee or commission was provided or paid to Gregory either as former president or as co-receiver of the Company and the sole payment made to him was for actual disbursements.

All interested persons are referred to said application which is on file at the Washington, D. C. office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time on or after March 12, 1952, unless prior thereto a hearing on the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may submit to the Commission in writing, not later than March 10, 1952, at 5:30 p. m. his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or a request to the Commission that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2216; Filed, Feb. 26, 1952; 8:47 a. m.]

[File No. 811-384]

FIRST INVESTMENT CO. OF CONCORD, N. H.

NOTICE OF MOTION TO TERMINATE REGISTRATION

FEBRUARY 20, 1952.

Notice is hereby given that the Division of Corporation Finance has filed a motion for an order pursuant to section 8 (f) of the Investment Company Act of 1940 ("act") declaring that The First Investment Company of Concord, New Hampshire, a registered investment company, has ceased to be an investment company.

The Division of Corporation Finance has been advised that all of the assets of The First Investment Company of Concord, New Hampshire, have been liquidated, that the company has been dissolved, and that all of the proceeds have been distributed to stockholders except $205.50 which has been paid into the State Treasury by order of the Superior Court of the State of New Hampshire for the County of Merrimack, for the benefit of one Philip Fenlon, a stockholder who cannot be located.

All interested persons are referred to said motion which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting said motion may be entered by the Commission at any time on or after March 24, 1952, unless prior thereto a hearing in this matter shall be ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than March 21, 1952, at 5:30 p. m., e. s. t., submit to the Commission in writing his views or any additional facts bearing upon this motion or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street

NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the motion which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2219; Filed, Feb. 26, 1952; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10114]

MYRON HENRY PREMUS

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of application of Myron Henry Premus for renewal of amateur operator and station licenses.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of February 1952;

The Commission having under consideration the application of Myron Henry Premus of Lancaster, New York for renewal of his amateur operator license and of his station license, issued under the call sign W2OY, and the Commission also having under consideration its records and files relating to the amateur operator and station licenses heretofore issued to the said Myron Henry Premus;

It appearing, that the said records and files contain numerous complaints regarding the conduct of the applicant and the manner in which he has heretofore operated amateur radio station W2OY;

It further appearing, that, in view of the aforementioned complaints, the Commission is unable to find that a grant of the application now under consideration would serve public interest, convenience, or necessity;

It is ordered, That, pursuant to authority vested in the Commission by the provisions of section 303 (l) and section 309 of the Communications Act of 1934, as amended, the above-entitled application is hereby designated for hearing before a Commission Examiner (at a time and place to be specified in a subsequent order), upon the following issues:

1. To determine, in view of the applicant's past record as an amateur radio operator, whether his conduct as an amateur radio operator is such as to qualify him to continue the operation of his station.

2. To determine the purposes for which the radio station will be used and whether future operation of the station will be in accordance with the rules, regulations, laws, and treaties governing amateur radio service.

3. To determine, in the light of the evidence adduced under the foregoing issues, whether public interest, convenience, or necessity would be served by grant of the application.

It is further ordered, That a copy of this order be transmitted by Registered Mail, return receipt requested, to Myron Henry Premus, 194 Aurora Street, Lancaster, New York.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 52-2232; Filed, Feb. 26, 1952; 8:48 a. m.]

[Docket Nos. 10115, 10116, 10117]

RADIO NORWICH, INC., ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Radio Norwich, Inc., New York, Docket No. 10115, File No. BP-8011; Montrose Broadcasting Corporation, Montrose, Pennsylvania, Docket No. 10116, File No. BP-8255; Thompson K. Cassel (WATS), Sayre, Pennsylvania, Docket No. 10117, File No. BP-8331; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of February 1952;

The Commission having under consideration the above-entitled applications requesting construction permits for the following purposes: Radio Norwich, Inc., for a new standard broadcast station to operate on 970 kc, with 500 w power, daytime only, at Norwich, New York. The Montrose Broadcasting Corporation for a new standard broadcast station to operate on 960 kc, with 1 kw power, daytime only, at Montrose, Pennsylvania; and Thompson K. Cassel for a change in the facilities of Station WATS, Sayre, Pennsylvania, from 1470 kc, 1 kw power, daytime only, to 960 kc, with 1 kw power, daytime only;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the corporate applicants, their officers, directors and stockholders to operate the proposed stations.

2. To determine the technical, financial and other qualifications of the individual applicant to operate Station WATS as proposed.

3. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations and Station WATS as proposed, and the availability of other primary service to such areas and populations.

4. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

5. To determine whether the operation of the proposed stations and Station WATS as proposed would involve objectionable interference with any existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the operations of the proposed stations and Station WATS as proposed would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

7. To determine whether the installations and operations of the proposed stations and Station WATS as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 52-2234; Filed, Feb. 26, 1952; 8:48 a. m.]

[Docket Nos. 10118, 10119, 10120, 10121]

PENN JERSEY BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re Applications of Penn Jersey Broadcasting Co., Bristol, Pennsylvania, Docket No. 10118, File No. BP-8062; Leroy Bremmer and Dorothy Bremmer, d/b as Atlantic City Broadcasting Company, Atlantic City, New Jersey, Docket No. 10119, File No. BP-8090; Herbert Michels, Albert Spiro and John J. Farina, d/b as Garden State Broadcasting Company, Atlantic City, New Jersey, Docket No. 10120, File No. BP-8112; Press-Union Publishing Company, Atlantic City, New Jersey, Docket No. 10121, File No. BP-8143; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of February 1952;

The Commission having under consideration the above-entitled applications of Atlantic City Broadcasting Company, Garden State Broadcasting Company and Press-Union Publishing Company requesting construction permits for new standard broadcast stations each to operate on 1490 kilocycles, with 250 watts power, unlimited time, at Atlantic City, New Jersey, and of Penn Jersey Broadcasting Co. requesting a construction permit for a new standard broadcast station to operate on 1490 kilocycles, with 250 watts power, unlimited time, at Bristol, Pennsylvania;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications

are designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnerships and their partners and of the corporate applicants, their officers, directors and stockholders to operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station at Bristol, Pennsylvania, would involve objectionable interference with Station WGAL, Lancaster, Pennsylvania, and whether the operations of any of the proposed stations in this proceeding would involve interference with existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the installations and operations of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine the facts and circumstances surrounding the acquisition of the capital stock of Press-Union Publishing Company by Bethlehem's Globe Publishing Company and the extent to which the latter exercised or had the right to exercise control over the affairs of Press-Union Publishing Company, including the management and control of Station WBAB, Atlantic City New Jersey.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That WGAL, Incorporated, licensee of Station WGAL, Lancaster, Pennsylvania is made a party to this proceeding with respect only to the application of Penn Jersey Broadcasting Company.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2235; Filed, Feb. 26, 1952; 8:49 a. m.]

[Docket Nos. 10122, 10123]

JOHN BLAKE ET AL.

ORDER DESIGNATING APPLICATION OR CONSOLIDATED HEARING ON STATED ISSUES

In re Applications of John Blake and Charles R. Wolfe, Killeen, Texas, Docket No. 10122, File No. BP-8173; W. A. Lee, A. W. Stewart and Franklin T. Wilson d/b as Highlite Broadcasting Company, Killeen, Texas, Docket No. 10123, File No. BP-8288, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of February 1952;

The Commission having under consideration the above-entitled applications each requesting the frequency 1050 kilocycles, with 250 watts power, daytime only at Killeen, Texas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant, the applicant partnership and their partners to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2236; Filed, Feb. 26, 1952; 8:49 a. m.]

[Docket Nos. 10124, 9089]

LIBERTY BROADCASTING CO. AND TEXAS STAR BROADCASTING CO. (KTHT)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re Applications of Cyril W. Reddock and John B. McCrary, d/b as Liberty Broadcasting Company, Liberty, Texas, Docket No. 10124, File No. BP-8238, for construction permit; Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Company (KTHT), Houston, Texas, Docket No. 9089, File No. BMP-3555, for modification of construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of February 1952;

The Commission having under consideration the above-entitled applications of Liberty Broadcasting Company for a construction permit for a new standard broadcast station to operate on 1050 kilocycles with 250 watts power, daytime only at Liberty, Texas, and of Texas Star Broadcasting Co. for a modification of construction permit to change the facilities of Station KTHT at Houston, Texas, from 790 kilocycles, 5 kilowatts power, unlimited time (DA-2) to 1030 kilocycles, 50 kilowatts power, unlimited time (DA-N);

It appearing, that the said application of Texas Star Broadcasting Company (KTHT) has been in the pending file awaiting a decision in the Clear Channel Hearing (Docket No. 6741), pursuant to the Public Notice of August 9, 1946 (Mimeo No. 96934);

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the partnership, Liberty Broadcasting Company, and its partners to construct and operate the proposed station; and the technical, financial and other qualifications of the partnership, Texas Star Broadcasting Company, and its partners to construct and operate Station KTHT, as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing stations and whether the operation of Station KTHT, as proposed would involve objectionable interference with Station KOB, Albuquerque, New Mexico, or with any other existing broad-

cast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the operation of the proposed station and Station KTHT, as proposed, would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the installation and operation of the proposed station and Station KTHT, as proposed, would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That Albuquerque Broadcasting Company, licensee of Station KOB, Albuquerque, New Mexico is made a party to this proceeding;

It is further ordered, That the said application of Texas Star Broadcasting Company (KTHT) has been included in this proceeding on the condition that if, as a result of the proceeding, it appears that, were it not for the Clear Channel Hearing (Docket No. 6741) and the Commission's announcement of August 9, 1946, pertaining thereto, the public interest would best be served by a grant of this application then this application will be returned to the pending file until after the said Clear Channel Decision has been issued, at which time it will be considered in connection with other 1030 kc applications and with any other pending applications with which it might then be in conflict.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2237; Filed, Feb. 26, 1952; 8:49 a. m.]

[Docket Nos. 10126, 10127]

MID-STATE BROADCASTING CO. AND LEROY E. PARSONS

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re Applications of Mid-State Broadcasting Co., Chehalis, Washington, Docket No. 10126, File No. BP-8187; Leroy E. Parsons, Chehalis, Washington, Docket No. 10127, File No. BP-8354, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of February 1952;

The Commission having under consideration the above-entitled applications requesting construction permits for new standard broadcast stations, each to operate on 1420 kc, with 1 kw power, daytime only, at Chehalis, Washington.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding to be held at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the individual applicant and the corporate applicant, its officers, directors and stockholders to operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed stations would involve objectionable interference with any existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the operations of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2238; Filed, Feb. 26, 1952; 8:50 a. m.]

[Docket Nos. 9964, 9965]

AZALEA BROADCASTING CO. AND WSMB INC.

ORDER AMENDING ISSUES AND CONTINUING HEARING

In re Applications of Charles W. Holt, Clarence M. Dossett, Dave A. Matison, Jr. and Bernard Reed Green, d/b as Azalea Broadcasting Company, Mobile, Alabama, Docket No. 9964, File No. BP-7830; WSMB, Incorporated (WSMB), New Orleans, Louisiana, Docket No. 9965, File No. BP-7971, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of February 1952;

The Commission having under consideration a petition jointly filed by the above-entitled applicants requesting that their respective applications be removed from hearing and be granted, subject to the mutual acceptance of such objectional interference as may be caused, one to the other, by these proposals;

It appearing, that the foregoing applications were designated for hearing in a consolidated proceeding on May 3, 1951, along with the application of Cary Lee Graham and Edwin H. Estes d/b as the Gadsden Radio Company, Mobile, Alabama (File No. BP-8049; Docket No. 9966), and that the latter application was subsequently removed from this proceeding; and

It further appearing, that the simultaneous operation of the Azalea Broadcasting Company and WSMB, Incorporated proposals would be expected to result in a certain measure of mutual interference but that the extent of such interference would be of a relatively low order and not in contravention of the standards of good engineering practice; and

It further appearing, that Azalea Broadcasting Company and WSMB, Incorporated, have agreed to accept whatever interference may ensue from the grant of both applications in this proceeding and simultaneous operation pursuant thereto; and

It further appearing, that Azalea Broadcasting Company is legally, technically, financially and otherwise qualified to construct and operate its proposed station; but that the operation of such proposed station may not comply with the Commission's rules and Standards of Good Engineering Practice, with particular reference to coverage of the Mobile metropolitan district at night; and

It further appearing, that Station WSMB is operating on a temporary extension of license pending final determination upon its application for renewal of license (File No. BR-444) and upon the applications (File Nos. BTC-866, BTC-867) filed by Paramount Pictures, Inc. and E. V. Richards, Jr., transferors, and United Paramount Theatres, Inc., transferees, for consent to transfer of control of WSMB, Inc., which applications have been designated for consolidated hearing (Dockets No. 10031 et al.) upon issues relating, inter-alia, to the participation by the applicants, their officers, directors, stockholders, employees or agents in any violation of either Federal or State anti-trust laws, and to the possible illegal transfer of control of Stations WSMB and WSMB-FM in violation of section 310 (b) of the Commission's Act of 1934, as amended; and that in the light of the foregoing, the Commission cannot at this time find that a grant of the above-entitled applicaion of WSMB for construction permit would serve public interest, convenience, and necessity;

It is ordered, That the above-entitled application of Azalea Broadcasting Company is severed from this proceeding to remain in hearing status and that the issues upon which it was heretofore ordered to be heard are amended to read as follows:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other primary broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary broadcast service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary broadcast service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering practice concerning standard broadcast stations, with particular reference to the nighttime coverage of the Mobile, Alabama metropolitan district.

It is further ordered, That hearing on the above-entitled application of WSMB, Incorporated, is continued without date to await the final decision in the proceedings on Dockets 10031 et al. and particularly on Dockets 10034 and 10110 or to await such other order as the Commission may subsequently adopt.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2239; Filed, Feb. 26, 1952; 8:50 a. m.]

[Docket No. 10095]

CLASS B FM BROADCAST STATIONS

AMENDMENT OF REVISED TENTATIVE ALLOCATION PLAN

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 13th day of February 1952;

The Commission having under consideration a proposal to amend its Revised Tentative Allocation Plan for Class B FM Broadcast Stations; and

It appearing, that notice of proposed rule-making (FCC 51-1196) setting forth the above amendment was issued by the Commission on December 5, 1951, and was duly published in the FEDERAL REGISTER (16 F. R. 12515), which notice provided that interested parties might file statements or briefs with respect to the said amendment on or before January 15, 1952; and

It further appearing, that no comments were received either favoring or opposing the adoption of the proposed reallocation; and

It further appearing, that the immediate adoption of the proposed reallocation would facilitate consideration of a pending application for a new Class B FM station at Orangeburg, South Carolina;

It is ordered, That, effective March 23, 1952, the Revised Tentative Allocation Plan for Class B FM Broadcast Stations is amended as follows:

General area:	Channels Delete	Channels Add
Orangeburg, S. C.	---	274
Florence, S. C.	274	---

Released: February 19, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2233; Filed, Feb. 26, 1952; 8:48 a. m.]

[Change List No. 140]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

JANUARY 9, 1952.

Notification under the provisions of part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations Modifying Appendix containing assignment of Mexican Broadcast Stations (Mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

MEXICO

Call letters	Location	Power	Schedule	Class	Probable date to commence operation
XEFO	Chihuahua, Chihuahua	680 kilocycles, 500 W	D	II	Apr. 1, 1952
XEGI	Gomez Palacio, Durango	700 kilocycles, 1 kw	D	II	June 30, 1952
XEBA	Guadalajara, Jalisco	840 kilocycles, 1 kw	D	II	Apr. 1, 1952
XEGN	Oaxaca, Oaxaca	1,460 kilocycles, 500 w D/250 w N	U	IV	June 30, 1952

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2240; Filed, Feb. 26, 1952; 8:51 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended December 31, 1951; 16 F. R. 12043).

Arkay Pants Co., 110 Chace Street, Fall River, Mass., effective 2-15-52 to 2-14-53; 10 learners (boys' clothing, boys' and girls' outerwear and storm coats).

B & P Manufacturing Co., Mocksville, N. C., effective 2-16-52 to 2-15-53; five learners (sports shirts).

I. M. Dach Underwear Co., 301 North Jackson Street, Jackson, Mich., effective 2-16-52 to 2-15-53; 10 percent of the productive factory force (nightgowns and pajamas).

L. W. Foster Sportswear Co., Inc., Hancock and Westmoreland Streets, Philadelphia 40, Pa., effective 2-14-52 to 2-13-53; 10 percent of the productive factory force (men's sportswear).

G. H. Hess, Inc., 211 West Main Street, Louisville, Ohio, effective 2-15-52 to 2-14-53; 10 learners (dresses).

Hollywood-Maxwell Co., Minden, La., effective 2-14-52 to 8-13-52; 25 learners for expansion purposes (corsets and allied garments).

Horton Garment Co., Horton, Kans., effective 2-21-52 to 2-20-53; five learners (dresses).

Hyde Part Foundations, Inc., 1234 Bryn Mawr Street, Scranton, Pa., effective 2-15-52 to 2-14-53; 10 percent of the productive factory force or 10 learners, whichever is greater (corsets and allied garments).

Jacobs Bros., Inc., Hancock, Md., effective 2-19-52 to 2-18-53; 10 percent of the productive factory force (nurses' and maids' uniforms).

Junely Manufacturing Co., Albion, Ill., effective 2-14-52 to 8-13-52; 30 learners for expansion purposes (dresses).

McAlisterville Shirt Factory, Box A, Juniata County, Fayette Township, McAlisterville, Pa., effective 2-11-52 to 2-10-53; 10 percent of the productive factory force (shirts).

MacLaren Sportswear Corp., Belton, S. C., effective 2-15-52 to 2-14-53; 10 percent of the productive factory force (sport shirts).

Marshall Clothing Manufacturing Co., Inc., 115 East Main Street, Butler, Ind., effective 2-15-52 to 2-14-53; 10 learners (jackets, basketball uniforms, etc.).

Pearl Manufacturing Co., 52 Twelfth Street, Fall River, Mass., effective 2-14-52 to 2-13-53; 10 percent of the productive factory force (cotton housedresses).

Pittston Apparel Co., Inc., East and Tompkis Streets., Pittston, Pa., effective 2-18-52 to 8-17-52; 30 learners for expansion purposes (corsets and brassieres).

Pool Manufacturing Co., 1601 South Montgomery Street, Sherman, Texas, effective 2-15-52 to 2-14-53; 10 percent of the productive factory force (pants, overalls, coveralls, work shirts).

Reidbord Bros. Co., 1331 Fifth Avenue, Pittsburgh 19, Pa., effective 2-14-52 to 2-13-53; 10 percent of the productive factory force or 10 learners, whichever is greater (men's and boys' trousers and jackets).

Renovo Shirt Co., Inc., Renovo, Pa., effective 2-13-52 to 8-12-52; 60 learners for expansion purposes (dress and sport shirts).

Rensello Co., Inc., Corner Delaware Avenue and Lewis Streets, Schuylkill County, Minersville, Pa., effective 2-16-52 to 2-15-53; 10 percent of the productive factory force (men's cotton and rayon pajamas).

The Rice Corp., Winamac, Ind., effective 2-16-52 to 2-15-53; 10 learners (dungarees).

Rice Mills, Inc., Belton, S. C., effective 2-14-52 to 2-13-53; five learners (terry cloth bath robes).

Richfield Shirt Factory, Monroe Township, Juniata County, Richfield, Pa., effective 2-11-52 to 2-10-53; 10 percent of the productive factory force (dress shirts, collars, etc.).

Rita's Fashions, Moscow, Pa., effective 2-11-52 to 6-10-52; five learners (ladies' blouses, children's dresses) (replacement certificate).

Rosette Manufacturing Co., 625 LaSalle Street, Berwick, Pa., effective 2-16-52 to 2-15-53; five learners; this certificate does not authorize the employment of learners in the manufacture of women's and children's skirts (women's sportswear).

Salem Shirt Factory, Delaware Township, Mifflintown, Pa., effective 2-11-52 to 2-10-53; 10 percent of the productive factory force (dress shirts).

Selma Garment Co., Selma, Ala., effective 2-15-52 to 2-14-53; 10 learners (pants, overalls, coveralls, work shirts).

Henry I. Siegel Co., Inc., Fulton, Ky., effective 2-14-52 to 2-13-53; 10 percent of the productive factory force (men's and boys' pants).

Sorbeau Juvenile Manufacturing Co., Dubuque, Iowa, effective 2-14-52 to 2-13-53; five learners (infants' wear).

Southeastern Shirt Corp., 1110 Indiana Avenue, LaFollette, Tenn., effective 2-13-52 to 2-12-53; 10 percent of the productive factory force (dress shirts, collars, sleeping wear).

Throop Dress Co., Inc., 810 George Street, Throop, Pa., effective 2-19-52 to 2-18-53; five learners (women's and children's dresses).

The Watson Shirt Co., Salisbury, Md., effective 2-13-52 to 2-12-53; 10 percent of the productive factory force (men's dress shirts, collars, sleeping wear).

Wilmer Fashion, Lehighton, Pa., effective 2-20-52 to 2-19-53; 10 percent of the productive factory force (dresses).

Woolrich Woolen Mills, Woolrich, Pa., effective 2-15-52 to 2-14-53; 10 learners (wool coats, shirts, pants, etc.).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

Good Luck Glove Co., Metropolis, Ill., effective 2-15-52 to 2-14-53; 10 percent of the productive factory force engaged in the learner occupations (work gloves).

Indianapolis Glove Co., Inc., Houlka, Miss., effective 2-15-52 to 8-14-52; 50 learners for expansion purposes (canton flannel work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised November 19, 1951; 16 F. R. 10733).

Ballston-Stillwater Knitting Co., Inc., Ballston Spa, N. Y., effective 2-15-52 to 2-14-53; 5 percent of the productive factory force.

Ballston-Stillwater Knitting Co., Inc., Stillwater, N. Y., effective 2-15-52 to 2-14-53; 5 percent of the productive factory force.

Crown Hosiery Mills, Inc., 426 South Hamilton Street, High Point, N. C., effective 2-15-52 to 2-14-53; 5 percent of the productive factory force.

Glenn Hosiery Co., Kivett Drive, High Point, N. C., effective 2-15-52 to 2-14-53; 5 percent of the productive factory force.

Volunteer Processing Co., Inc., Athens, Tenn., effective 2-17-52 to 2-16-53; three learners.

Waldensian Hosiery Mills, Inc., Finishing Plant, Valdese, N. C., effective 2-20-52 to 2-19-53; 5 percent of the productive factory force.

Waldensian Hosiery Mills, Inc., Pauline Plant, Valdese, N. C., effective 2-20-52 to 2-19-53; 5 percent of the productive factory force.

Waldensian Hosiery Mills, Inc., Pineburr Plant, Valdese, N. C., effective 2-20-52 to 2-19-53; 5 percent of the productive factory force.

Walnut Hosiery Mills, Inc., Fifth & Walnut Streets, Shamokin, Pa., effective 2-18-52 to 2-17-53; 5 percent of the productive factory force.

Independent Telephone Industry Learner Regulations (29 CFR 522.82 to 522.93, as amended January 25, 1950; 15 F. R. 398).

Manawa Telephone Co., Manawa, Wis., effective 2-15-52 to 2-14-53.

Swift County Telephone Corp., Benson, Minn., effective 2-13-52 to 2-12-53.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952; 16 F. R. 12866).

Olympic Manufacturing Co., 101 Pittston Avenue, Scranton, Pa., effective 2-13-52 to 2-12-53; five learners (men's shorts).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Dowling Textile Manufacturing Co., McDonough, Ga., effective 2-14-52 to 8-13-52; 10 learners; sewing machine operators; 240 hours; 60 cents per hour for the first 120 hours and 65 cents per hour for the remaining 120 hours (hemming towels, pillow cases, napkins).

Dust Proof Mattress Cover Co., P. O. Box 631, Ellwood City, Pa., effective 2-14-52 to 8-13-52; five learners; sewing machine operators; 240 hours at 65 cents per hour (mattress covers).

Hollywood Fancy Feather Co., 319 South Spring Street, Los Angeles, Calif., effective 2-12-52 to 6-11-52; two learners; making fancy millinery feather trimmings; 160 hours at 65 cents per hour, (artificial flowers and feathers).

International Strap Co., Leola, Pa., effective 2-18-52 to 2-17-53; two learners; sewing machine operators; 320 hours at 65 cents per hour (ladies' shoulder straps).

Keystone Adjustable Cap Co., 1030 South Tenth Street, Philadelphia, Pa., effective 2-14-52 to 8-13-52; four learners; machine operators (except cutting), 240 hours; printing pressman, 480 hours; folders, 160 hours; for the occupation of machine operators (except cutting) not less than 70 cents per hour; for the occupations of printing pressman and folder not less than 65 cents per hour (sanitary headwear).

Webster Manufacturing Co., 1450 North Main Street, Longmont, Colorado, effective 2-18-52 to 8-17-52; four learners; hand decorator and assembler; 160 hours at 65 cents per hour (lamp shades).

The following special learner certificate was issued in Puerto Rico to the company hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Atlas Products Corp., Toa Alta, P. R., effective 2-13-52 to 8-12-52; 58 learners; stitching machine operators, 160 hours at 34 cents per hour, 160 hours at 39 cents per hour, 160 hours at 44 cents per hour (leather gloves).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 19th day of February 1952.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 52-2213; Filed, Feb. 26, 1952; 8:46 a. m.]